



COMMITTEE OF THE WHOLE AGENDA
Board of Commissioners, St. Louis County, Minnesota

August 8, 2023

Immediately following the Board Meeting, which begins at 9:30 A.M.
Mt. Iron Community Center, 8586 Enterprise Dr S., Mt. Iron

CONSENT AND REGULAR AGENDA:

All matters listed under the consent agenda are considered routine and/or non-controversial and will be enacted by one unanimous motion. If a commissioner requests, or a citizen wishes to speak on an item on the consent agenda, it will be removed and handled separately. For items on the Regular Agenda, citizens will be allowed to address the Board at the time a motion is on the floor.

DIRECTIONS: *From Highway 53 in Virginia, exit west onto US 169. Proceed west on US 169 for approx. 1.5 miles. Turn south onto Emerald Avenue. Turn east onto Enterprise Drive (1st intersection). The community center is on the right.*

CONSENT AGENDA:

Minutes of August 1, 2023

Public Works & Transportation Committee, Commissioner Musolf, Chair

1. Cooperative Agreement with the City of Biwabik to Receive and Administer Local Road Improvement Program (LRIP) Funding for Phase 6 Infrastructure Improvements – CP 0000-807356, SAP 069-594-002 [23-324]

Finance & Budget Committee, Commissioner Nelson, Chair

2. Abatement List for Board Approval [23-325]
3. Request for St. Louis County to Act as Fiscal Agent for Crane Lake Township – State of Minnesota Direct Appropriation [23-326]

Central Management & Intergovernmental Committee, Commissioner Grimm, Chair

4. Determining that Elected Officials are Employees for Purposes of the Minnesota Government Data Practices Act [23-327]

Environment & Natural Resources Committee, Commissioner Jugovich, Chair

5. Gift of Severed Minerals to St. Louis County (Parcel ID Nos. 385-7020-02460, 02512, 02516, 02740, 02771, and 02781) [23-328]
6. State Tax-Forfeited Land Use Lease – Dock and Shoreland Access [23-329]
7. Right-of-Way Easement Across State Tax-Forfeited Land to Brendan Berthold and Holly Hendrick (Unorganized Twp. 66-20) [23-330]

TIME SPECIFIC PRESENTATIONS:

10:45 A.M. Range Transitional Housing Groundbreaking Event (the Board will reconvene following event)

REGULAR AGENDA:

Public Works & Transportation Committee, Commissioner Musolf, Chair

1. **Approval of Public Works Heavy Equipment Mechanic Apprenticeship Positions [23-331]**
Resolution approving the creation of eight new 0.5 FTE Heavy Equipment Mechanic Apprentices.

Health & Human Services Committee, Commissioner McDonald, Chair

1. **Reallocation of Child Support Officer to Financial Worker [23-332]**
Resolution approving the reallocation of a 1.0 FTE Child Support Officer position to a 1.0 FTE Financial Worker position.

Finance & Budget Committee, Commissioner Nelson, Chair

1. **Fire Protection/First Responder Services Contracts for Unorganized Territories 2024 [23-333]**
Resolution authorizing the County Auditor to levy for the provision of fire protection and/or first responder services to identified unorganized territories beginning January 1, 2024.
2. **Purchase of Biosolids Disposal Site Authority Land for Leachate Treatment System Upgrade and Future Landfill Expansion, American Rescue Plan Act [23-334]**
Resolution approving the use of American Rescue Plan Act Funds to purchase of biosolids disposal site authority land for leachate treatment system upgrade future landfill expansion.
3. **Development of 30% Design Documents for Major Permit Modification to the St. Louis County Regional Landfill, American Rescue Plan Act [23-335]**
Resolution approving the use of American Rescue Plan Act Funds to provide environmental engineering that satisfied all MPCA major modification permit requirements.
4. **2023 Second Quarter Budget Changes [23-336]**
Resolution approving the 2023 second quarter budget changes.
5. **CHUM Shelter-Next Services for Youth Project at Peace Church, American Rescue Plan Act Revenue Loss Funding [23-337]**
Resolution approving the use of American Rescue Plan Act Revenue Loss funds for the CHUM youth Shelter-Next Project.
6. **Urgent Care Behavioral Health Center (Clarity), American Rescue Plan Act Revenue Loss Funding [23-338]**
Resolution approving the use of American Rescue Plan Act Revenue Loss funds for the Urgent Care Behavioral Health Center (Clarity)
7. **Lincoln Park Children and Families Collaborative, American Rescue Plan Act Revenue Loss Funding [23-339]**
Resolution approving the use of American Rescue Plan Act Revenue Loss funds for the Lincoln Park Children and Families Collaborative capital campaign.
8. **Renewal of Microsoft M365 Enterprise Software Licensing [23-340]**
Resolution authorizing the renewal of the Microsoft 365 Enterprise software licensing agreement.
9. **Approval of Hibbing Office Space and Clerical Services Agreement [23-341]**
Resolution approving the City Office Space and Lease Agreement and Services Agreement with the City of Hibbing.

Central Management & Intergovernmental Committee, Commissioner Grimm, Chair

1. **County Attorney Investigator Unit 2023-2025 Collective Bargaining Agreement [23-342]**
Resolution ratifying the 2023-2025 County Attorney Investigator unit collective bargaining agreement.

2. **Appointment to the Civil Service Commission [23-343]**
Resolution appointing Barbara Hart to the Civil Service Commission for a three-year term ending August 7, 2026.
3. **Additional Location/Time for 2023 Board Workshop Meeting [23-344]**
Resolution authorizing the additional location and time of September 12, 2023 Board Workshop meeting.

Public Safety & Corrections Committee, Commissioner Harala, Chair

1. **Two Additional Positions in County Attorney's Office [23-345]**
Resolution authorizing 2 additional FTE's in the County Attorney's Office including a Deputy County Attorney and an Assistant County Attorney.

COMMISSIONER DISCUSSION ITEMS AND REPORTS:

Commissioners may introduce items for future discussion, or report on past and upcoming activities.

ADJOURNED:

Because the next scheduled Board Meeting will not be held until September 5, 2023, the County Board may reconvene to address these agenda items.

NEXT COMMITTEE OF THE WHOLE MEETING DATES:

September 5, 2023	St. Louis County Courthouse, 100 N. 5 th Ave. W., Duluth
September 12, 2023	St. Louis County Courthouse, 100 N. 5 th Ave. W., Duluth
September 26, 2023	Alborn Town Hall, 6388 Hwy 7, Alborn

BARRIER FREE: *All St. Louis County Board meetings are accessible to individuals with physical or intellectual differences. Attempts will be made to accommodate any individual needs for special services. Please contact St. Louis County Administration (218-726-2450) early so necessary arrangements can be made.*

COMMITTEE OF THE WHOLE ST. LOUIS COUNTY BOARD OF COMMISSIONERS

August 1, 2023

Location: St. Louis County Courthouse, Duluth, Minnesota

Present: Commissioners Harala, Grimm, McDonald, Musolf, Nelson, Jugovich and Chair Boyle

Absent: None

Convened: Chair Boyle called the meeting to order at 11:53 a.m.

CONSENT AGENDA

Nelson/Musolf moved to approve the consent agenda. The motion passed. (7-0)

- Minutes of July 25, 2023
- Request to Accept DHS Housing Support and Services Grant Community Living Infrastructure Additional Funding and Enter into Contracts with Community-Based Providers [23-315]
- Cooperative Construction Agreement with Minnesota Department of Transportation for Trunk Highway 37 at County State Aid Highway 5 (East and West) Turn Lane Project - CP 0005-533030, SP 069-070-058 [23-316]
- Cooperative Agreement with MnDOT for Trunk Highway 169 Resurfacing Project – CP 0000-747491, SP 069-596-017 [23-317]
- Chisholm Kiwanis Club Splash Pad Sunshade Fixture Project, American Rescue Plan Act Revenue Loss Funding [23-318]
- Environmental Services Brookston Transfer Station Fiber Connectivity Project, American Rescue Plan Act, Revenue Loss Funds [23-319]
- Award of Bids: Purchase of SHERP All-Terrain Vehicles [23-320]
- Utility Easements Across Tax Forfeit Lands to Lake Country Power (Beatty Twp, 63-18 and Unorganized Twp 63-17) [23-321]

Establishment of Public Hearings

Nelson/McDonald moved that the St. Louis County Board establishes a public hearing on Tuesday, September 5, 2023, at 9:35 a.m. at the Duluth Courthouse, County Board Room, 100 N. 5th Avenue West, Duluth, MN, regarding the application for an Off-Sale Intoxicating Liquor License for Sean N Marv, LLC dba Viking Bar. [23-322]. The motion passed. (7-0)

Finance & Budget Committee

Nelson/Jugovich moved that St. Louis County Board hereby awards the continued group health plan administrative services contract to Blue Cross Blue Shield of Minnesota; that the per contract per month administrative fee of \$45.27 is approved for January 1, 2024 – December 31, 2024; that the per contract per month stop-loss premium of \$17.47 is approved for January 1, 2024 – December 31, 2024; and further, authorizes the appropriate county officials to execute agreements for administrative services of the health plan for the time period covering January 1, 2024 – December 31, 2028. [23-323]. St. Louis

County Director of Human Resources and Administration Jim Gottschald commented that three carriers submitted proposals. The Blue Cross Blue Shield of Minnesota proposal offered the best overall value and received consensus support from all members of the health insurance committee. Director Gottschald noted that Blue Cross Blue Shield of Minnesota proposed to increase the Employer share of pharmaceutical manufacturer savings from 92% of total rebates to 95% and the wellness grant was increased to \$400,000. The motion passed. (7-0)

COMMISSIONER DISCUSSION ITEMS AND REPORTS

Commissioner Jugovich said the St. Louis County Fair – “The Five Best Days of Summer” starts tomorrow.

Commissioner Grimm said she, Commissioner McDonald, Administrator Gray, and PHHS Director Mirsch attended the National County Association conference in Texas last week; the conference provided an opportunity to learn about innovative programs from across the country.

Commissioner Nelson commented on a plan to place a 10-mile buffer around the Boundary Waters Canoe Area Wilderness and asked that County Administration work with the Land and Minerals Department to determine how many acres of land would be affected by the proposed buffer. Commissioner Nelson said that he intends to bring a resolution opposing the buffer for Board consideration in September.

Commissioner Nelson said during the public comment portion at last week’s Board meeting it was implied that that he was doing something wrong with his Individual Subsurface Sewage Treatment System (ISTS). Commissioner Nelson noted that over the past four years he has had two ISTS systems installed; one at his mother-in-law’s house due to a sale and one at his mother’s house at her request. Commissioner Nelson said that he gets his home system inspected every couple of years and the system is compliant and said he follows the ordinance to the letter. Commissioner Nelson commented that he has applications and compliance certificates if anyone would like to review them. Commissioner Nelson noted that there will be a recess during next week’s Board meeting so that the Board can attend the groundbreaking ceremony for the Range Transitional Housing project.

Chair Boyle said the Board will hold a meeting on September 5th or September 9th to discuss American Rescue Plan Act dollars.

At 12:13 p.m., Commissioner Harala, supported by Commissioner Grimm, moved to adjourn the Committee of the Whole meeting. The motion passed. (7-0)

Patrick Boyle, Chair of the County Board

Phil Chapman, Clerk of the County Board



St. Louis County Board of Commissioners Request for Board Action 23 - 324

Committee: **Public Works & Transportation**
From: James T. Foldesi, Public Works Director /
Highway Engineer
Reviewed by: Kevin Z. Gray, County Administrator

Date: August 8, 2023

Attachments: yes no
Consent: yes no

ITEM: Cooperative Agreement with the City of Biwabik to Receive and Administer Local Road Improvement Program (LRIP) Funding for Phase 6 Infrastructure Improvements – CP 0000-807356, SAP 069-594-002

Background/Overview:

The City of Biwabik has received funding from the Local Road Improvement Program (LRIP) in the amount of \$1,400,000 to design and construct Phase 6 of the city's infrastructure improvement project. The project includes work on 5th Avenue North from Main Street to 4th Street North and on 1st Street North from 1st Avenue to 5th Avenue in the City of Biwabik. This project is identified further as State Aid Project (SAP) 069-594-002; St. Louis County Project No. CP 0000-807356.

The County is required to act as the fiscal agent and contract administrator for the State of Minnesota in administering the LRIP funds and shall administer the construction contract for the Project.

Policy Objectives:

Minnesota Stat. Sec. 174.52 establishes the Local Road Improvement Fund, consisting of money transferred to the fund through appropriation, gift, or grant. The State of Minnesota requires County sponsorship to receive and administer these funds for townships and small cities.

Fiscal/Budget Impacts/Funding Source/FTE Considerations:

The City of Biwabik will be responsible for 100 percent of the costs of this roadway project exceeding available LRIP funds authorized to the County. Funds for this project will be receipted into Fund 220, Agency 220751, Object 521612.

Recommendation:

It is recommended the St. Louis County Board authorize the appropriate County officials to enter into a cooperative agreement with the City of Biwabik to receive and administer Local Road Improvement Program (LRIP) funding for the improvements to 5th Avenue North and 1st Street North in the City of Biwabik. This project is further identified as SAP 069-594-002, CP 0000-807356.

Cooperative Agreement with the City of Biwabik to Receive and Administer Local Road Improvement Program (LRIP) Funding for Phase 6 Infrastructure Improvements – CP 0000-807356, SAP 069-594-002

BY COMMISSIONER _____

WHEREAS, The City of Biwabik has received LRIP funding in the amount of \$1,400,000 for improvements to 5th Avenue North from Main Street to 4th Street North and on 1st Street North from 1st Avenue to 5th Avenue in the City of Biwabik, hereinafter called the “Project”. The Project is further identified as SAP 069-594-002, CP 0000-807356; and

WHEREAS, The County is required to act as the fiscal agent and contract administrator for the State of Minnesota in administering the LRIP funds, and shall administer the construction contract for the Project; and

WHEREAS, The City of Biwabik shall prepare a plan for construction of the Project; and

WHEREAS, The City of Biwabik will be responsible for 100 percent of the cost to complete the Project in excess of LRIP funds authorized to the County.

THEREFORE, BE IT RESOLVED, The St. Louis County Board authorizes the appropriate County Officials to enter into a cooperative agreement with the City of Biwabik to receive and administer Local Road Improvement Program (LRIP) funding for the improvements to 5th Avenue North and 1st Street North in the City of Biwabik. This project is further identified as SAP 069-594-002, CP 0000-807356. Funds for this project will be receipted into Fund 220, Agency 220751, Object 521612.



St. Louis County Board of Commissioners Request for Board Action 23 - 325

Committee: **Finance & Budget**

Date: August 8, 2023

From: Mary Garness, Director
Public Records & Property Valuation
David L. Sipila, County Assessor

Attachments: yes no

Reviewed by: Kevin Z. Gray, County Administrator

Consent: yes no

ITEM: Abatement List for Board Approval

Background/Overview:

An abatement is an administrative process to correct errors and injustices in assessed valuation or classification. It is not part of the property tax appeal process.

The intent of abatements is to provide equitable treatment to individual taxpayers while at the same time exercising prudence with the tax monies due to the taxing authorities within St. Louis County. Abatements are processed in conformance with St. Louis County Board Resolution No. 16-82, dated January 26, 2016, outlining the Board's policy on abatement of ad valorem taxes. This policy provides direction for the abatement of: 1) Current year taxes; 2) Current year penalty and costs; 3) Past year taxes; and 4) Past year penalty, interest, and costs.

Property owners must submit a written application to be considered for a property tax abatement. Completed applications have been submitted for the attached list of properties.

Policy Objectives:

Minn. Stat. § 375.192 provides the Board with statutory authority to grant abatements that have been approved by the County Assessor and County Auditor. The St. Louis County Real Property Tax Abatement Policy, adopted in 2016, further details the County's process to address property tax abatements.

Fiscal/Budget Impacts/Funding Source/FTE Considerations:

The total reduction in property tax, not including processing fees, is included on the attached list for each abatement. Each entry also includes a notation indicating whether a processing fee is required, according to County policy.

Recommendation:

It is recommended that the St. Louis County Board approve the list of applications for abatement dated August 8, 2023.

Abatement List for Board Approval

BY COMMISSIONER _____

RESOLVED, That the St. Louis County Board approves the applications for abatement, correction of assessed valuations and taxes plus penalty and interest, and any additional accrual, identified in County Board File No. 61875.



Abatements Submitted for Approval by the St. Louis County Board

August 8, 2023

AUD. NO.	PARCEL ID	TAXPAYER NAME	LOCATION	APPRAISER	REASON	TAX YR.	FEE	REDUCTION
000839	010-0840-00370	ANDERSON, ALEXANDER	DULUTH	FRANK CARVER	HOMESTEAD	2023	Y	\$274.00
000842	010-3030-06365	ELLIOTT, MARK	DULUTH	RYAN SAUVE	HOMESTEAD	2023	Y	\$138.00
000843	010-3510-02160	DONOVAN, TIMOTHY & CAROLYN	DULUTH	JOE ODELL	HOMESTEAD	2023	Y	\$302.00
000844	010-3720-00860	RYAN, MICHAEL & BRITTA	DULUTH	DAVE CHRISTENSEN	HOMESTEAD	2023	Y	\$1,094.00
000845	139-5101-00090	SCHOCK, OSCAR & SUSAN	HIBBING	JOHN GODEC	HOMESTEAD	2023	Y	\$758.00
000846	140-0099-00190	DUCOTE, ANGELA	HIBBING	TIM MAROLT	HOMESTEAD	2023	Y	\$758.00
000847	141-0072-00110	KEPLER, THOMAS	HIBBING	JOHN GODEC	HOMESTEAD	2023	Y	\$562.00
000848	200-0010-02271	KOSKOVICH, MICHAEL & KENDRICK JULIE	ALANGO	BRIAN GRAHEK	AGRICULTURAL	2023	N	\$48.00
000849	200-0010-02280	KOSKOVICH, MICHAEL & KENDRICK JULIE	ALANGO	BRIAN GRAHEK	AGRICULTURAL	2023	N	\$112.00
000850	200-0010-02285	KOSKOVICH, MICHAEL & KENDRICK JULIE	ALANGO	BRIAN GRAHEK	AGRICULTURAL	2023	N	\$288.00
000851	200-0010-02320	KOSKOVICH, MICHAEL & KENDRICK JULIE	ALANGO	BRIAN GRAHEK	AGRICULTURAL	2023	N	\$258.00
000852	280-0057-00230	SCHULTE, JOHN	CANOSIA	CASSONDRA ROSETH	HOMESTEAD	2023	Y	\$174.00
000853	375-0140-02160	HUTCHINSON, ALLEN	GNESEN	CASSONDRA ROSETH	HOMESTEAD	2023	Y	\$256.00
000854	652-0010-05431	LEVAR, THOMAS & MARY	UNORG 63-14	PAUL CHERRY	DOUBLE ASSESSMENT	2023	N	\$3,708.00



St. Louis County Board of Commissioners Request for Board Action 23 - 326

Committee: **Finance & Budget**
From: Cristen Christensen, Finance Director
Reviewed by: Kevin Z. Gray, County Administrator

Date: August 8, 2023
Attachments: yes no
Consent: yes no

ITEM: Request for St. Louis County to Act as Fiscal Agent for Crane Lake Township – State of Minnesota Direct Appropriation

Background/Overview:

Crane Lake Township (Township) applied to the State of Minnesota in 2021 for two Legislative-Citizen Commission on Minnesota Resources (LCCMR) grants. The Township was awarded two grants, one in the amount of \$3.1 million and the second in the amount of \$2.7 million, for a campground and new national park visitor's center. These projects are part of a cooperative effort between the Township, National Park Service and Department of Natural Resources. The construction bids came in higher than expected on these projects.

In the 2023 legislative session, the Township received a direct appropriation for \$1,900,000 to address these higher costs and to continue work on the campground and visitor center. In order to receive the appropriation, the Township is required to contract a fiscal agent.

The Township has approached St. Louis County and is requesting the County to act as the fiscal agent for this new appropriation. The appropriation is reimbursement-based, and the Township does not have the financial resources to front the cash or the staff to handle the purchasing and accounting functions associated with this grant. As background, the St. Louis County purchasing department and auditor's office are already supporting the LCCMR grants.

Policy Objectives:

The town of Crane Lake was provided a direct appropriation from the State of Minnesota by ML 23 Chapter 60, Art 1, Sec 3, Subd. 5 (s). The State of Minnesota requires all appropriation recipients complete a pre-award financial capacity review to determine if a fiscal agent is necessary. In this case, fiscal agency is a requirement to be eligible for use of funds.

Fiscal/Budget Impacts/Funding Source/FTE Considerations:

The Finance Director and Deputy Administrator have reviewed the request. Entering this agreement will result in an increased workload for both staff in the Auditors Office as well as the Purchasing Department. In order for the County's costs to be eligible for reimbursement under this grant the County must time record and bill for actual costs incurred not to exceed 5% or \$95,000. Once this appropriation contract is approved, the County will record and bill appropriation for the costs associated with this grant. The Township will then need to approve the expenditure for it to become an eligible reimbursement under this grant.

Recommendation:

It is recommended that the St. Louis County Board authorizes the St. Louis County Auditor and any other appropriate county officials to enter into an agreement with Crane Lake Township for St. Louis County to act as fiscal agent for the Township's 2023 State of Minnesota direct appropriation.

Request for St. Louis County to Act as Fiscal Agent for Crane Lake Township – State of Minnesota Direct Appropriation

BY COMMISSIONER _____

WHEREAS, Resolution No. 21-139 approved a Fiscal Agent agreement for Crane Lake Township’s Legislative-Citizen Commission on Minnesota Resources (LCCMR) grants for the visitor center and campground; and

WHEREAS, In the 2023 Legislative Session, Crane Lake Township (Township) was awarded an additional appropriation of \$1,900,000 and is required to have a fiscal agent; and

WHEREAS, The proposed campground and visitor’s center project costs are higher than the LCCMR grants support; and

WHEREAS, The appropriation is reimbursement-based and the Township does not have the financial resources to front the cash or the staff to handle the purchasing and accounting functions required; and

WHEREAS, The Township has approached St. Louis County and is requesting the County to act as the fiscal agent for the Township’s appropriation; and

WHEREAS, In order for the County’s costs to be eligible for reimbursement under this grant, the County must time record and bill the appropriation for actual costs incurred not to exceed 5% of the appropriation or \$95,000.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the St. Louis County Auditor and any other appropriate county officials to enter into an agreement with Crane Lake Township for St. Louis County to act as fiscal agent for the Township’s 2023 State of Minnesota direct appropriation.



St. Louis County Board of Commissioners Request for Board Action 23 - 327

Committee: **Central Management and Intergovernmental** Date: August 8, 2023
From: Kimberly J. Maki, County Attorney Attachments: yes no
Reviewed by: Kevin Z. Gray, County Administrator Consent: yes no

ITEM: Determining that Elected Officials are Employees for Purposes of the Minnesota Government Data Practices Act

Background/Overview:

The Minnesota Government Data Practices Act (MGDPA) “regulates the collection, creation, storage, maintenance, dissemination, and access to government data in government entities.” Minn. Stat. § 13.01, subd. 3. In several advisory opinions, the Minnesota Department of Administration has taken the position that is up to each government entity to determine whether its elected officials are employees of the government entity for purposes of the MGDPA, including the personnel-data section of the MGDPA, which establishes a general rule that personnel data on an employee of a government entity are classified as private data on individuals, Minn. Stat. § 13.43, subd. 4.

In *Krout v. City of Greenfield*, No. A11-1200, 2012 WL 1253090 (Minn. Ct. App. Apr. 16, 2012), the Minnesota Court of Appeals agreed with the Minnesota Department of Administration’s position on this issue. To date, the St. Louis County Board has not expressly determined that St. Louis County’s elected officials are employees of St. Louis County for purposes of the MGDPA. A determination that St. Louis County’s elected officials are employees of St. Louis County for purposes of the MGDPA will in many instances help to ensure that (1) the classification of data on an elected official is the same as the classification of data on other personnel of St. Louis County and (2) the privacy rights of an elected official are the same as the privacy rights of other personnel of St. Louis County in this regard.

Policy Objectives:

To ensure that St. Louis County complies with its duties under the Minnesota Government Data Practices Act (the “MGDPA”), Minnesota Statutes Chapter 13.

Fiscal/Budget Impacts/Funding Source/FTE Considerations:

None.

Recommendation:

It is recommended that the St. Louis County Board determine that St. Louis County’s elected officials—that is, the St. Louis County Attorney, the St. Louis County Auditor, each St. Louis County Commissioner, and the St. Louis County Sheriff—are employees of St. Louis County for purposes of the MGDPA.

**Determining that Elected Officials are Employees for Purposes of the Minnesota
Government Data Practices Act**

BY COMMISSIONER _____

WHEREAS, In several advisory opinions, the Minnesota Department of Administration has taken the position that is up to each government entity to determine whether its elected officials are employees of the government entity for purposes of the Minnesota Government Data Practices Act (the “MGDPA”), Minn. Stat. ch. 13, including the personnel-data section of the MGDPA, which establishes a general rule that personnel data on an employee of a government entity are classified as private data on individuals, Minn. Stat. § 13.43, subd. 4; and

WHEREAS, In *Krout v. City of Greenfield*, No. A11-1200, 2012 WL 1253090 (Minn. Ct. App. Apr. 16, 2012), the Minnesota Court of Appeals agreed with the Minnesota Department of Administration’s position on this issue; and

WHEREAS, To date, the St. Louis County Board has not expressly determined that St. Louis County’s elected officials are employees of St. Louis County for purposes of the MGDPA; and

WHEREAS, A determination that St. Louis County’s elected officials are employees of St. Louis County for purposes of the MGDPA will in many instances help to ensure that (1) the classification of data on an elected official is the same as the classification of data on other personnel of St. Louis County and (2) the privacy rights of an elected official are the same as the privacy rights of other personnel of St. Louis County in this regard.

THEREFORE, BE IT RESOLVED, That, to the fullest extent permitted by law, the St. Louis County Board determines that St. Louis County’s elected officials—that is, the St. Louis County Attorney, the St. Louis County Auditor, each St. Louis County Commissioner, and the St. Louis County Sheriff—are employees of St. Louis County for purposes of the MGDPA.

RESOLVED FURTHER, That, for the avoidance of doubt, this determination does not constitute a determination that St. Louis County’s elected officials are employees of St. Louis County for any purpose other than for purposes of the MGDPA.



St. Louis County Board of Commissioners
Request for Board Action 23 – 328

Committee: **Environment & Natural Resources**
From: Julie Marinucci, Director
Land & Minerals
Nancy J. Nilsen, County Auditor/Treasurer
Reviewed by: Kevin Z. Gray, County Administrator

Date: August 8, 2023
Attachments: yes no
Consent: yes no

ITEM: Gift of Severed Minerals to St. Louis County (Parcel ID Nos. 385-7020-02460, 02512, 02516, 02740, 02771, and 02781)

Background/Overview:

The County has received an offer of a gift of severed mineral rights (which are treated as separate real property under Minnesota law) from Robert L. Carlson. The severed mineral estate is located in the Town of Great Scott (Parcel ID Nos. 385-7020-02460, 02512, 02516, 02740, 02771, and 02781). This mineral estate area encompasses approximately 160 acres. Acceptance of the gifted severed mineral estate would consolidate ownership with tax-forfeited severed minerals and tax-forfeited surface ownership providing an overall benefit for the management of these minerals and to St. Louis County. The County would accept conveyance of this mineral estate via quit-claim deed in fee, and subsequently own the estate in fee.

Policy Objectives:

Minn. Stat. § 465.03 states that any city, county, school district, or town may accept a grant or devise of real or personal property and maintain such property for the benefit of its citizens in accordance with terms, if any, prescribed by the donor. Every such acceptance shall be by resolution of the governing body adopted by a two-thirds majority of its members, expressing any additional donor-requested terms in full (here there are none).

Fiscal/Budget Impacts/Funding Source/FTE Considerations:

A \$1.65 state deed tax will need to be paid from Fund 100 Agency 143001 to record the deed.

Recommendation:

It is recommended that the St. Louis County Board authorize the Auditor or appropriate designee to accept this gift, via quit-claim deed, of severed mineral rights pursuant to Minn. Stat. § 465.03, without conditions, and further authorize the appropriate county officials to take all steps necessary to effect final execution and recording of the transfer.

**Gift of Severed Mineral Rights to St. Louis County
(Parcel ID Nos. 385-7020-02460, 02512, 02516, 02740, 02771, and 02781)**

BY COMMISSIONER _____

WHEREAS, Robert L. Carlson has offered to gift St. Louis County, in fee and via quit-claim deed, certain severed mineral rights located in Great Scott Township legally described as follows:

GREAT SCOTT SEVERED MINERALS:

Legal: UND 1/16 INT of E1/2 OF NE1/4, Sec 32 Twp 58N Rge 19W
Parcel ID No: 385-7020-02460

AND

Legal: UND 1/16 INT of NE 1/4 OF NE 1/4, Sec 32 Twp 58N Rge 19W
Parcel ID No: 385-7020-02512

AND

Legal: UND 1/16 INT of SE 1/4 OF NE 1/4, Sec 32 Twp 58N Rge 19W
Parcel ID No: 385-7020-02516

AND

Legal: UND 1/16 INT of W1/2 OF NW1/4, Sec 33 Twp 58N Rge 19W
Parcel ID No: 385-7020-02740

AND

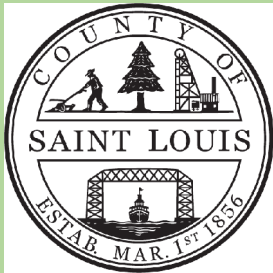
Legal: UND 1/16 INT of NW 1/4 OF NW 1/4, Sec 33 Twp 58N Rge 19W
Parcel ID No: 385-7020-02771

AND

Legal: UND 1/16 INT of SW 1/4 OF NW 1/4, Sec 33 Twp 58N Rge 19W
Parcel ID No: 385-7020-02781

WHEREAS, Minn. Stat. § 465.03 provides that the county may accept a grant or devise of real or personal property, with or without conditions, upon passage of a resolution adopted by a two-thirds majority of the county board.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board accepts the donated conveyance of the above-described severed mineral estate, in fee and via quit-claim deed, and further authorizes and directs the appropriate county officials to take all steps necessary to effect final execution and recording of the donated transfer.



St. Louis County Land and Minerals Department

Land to St. Louis County in Fee

Legal: Undivided 6.25% of E1/2 OF NE1/4,
 Sec 32 Twp 58N Rge 19W
 GREAT SCOTT SEVERED MINERALS
 Parcel Code: 385-7020-02460

Legal: Undivided 6.25% of NE 1/4 OF NE 1/4,
 Sec 32 Twp 58N Rge 19W
 GREAT SCOTT SEVERED MINERALS
 Parcel Code: 385-7020-02512

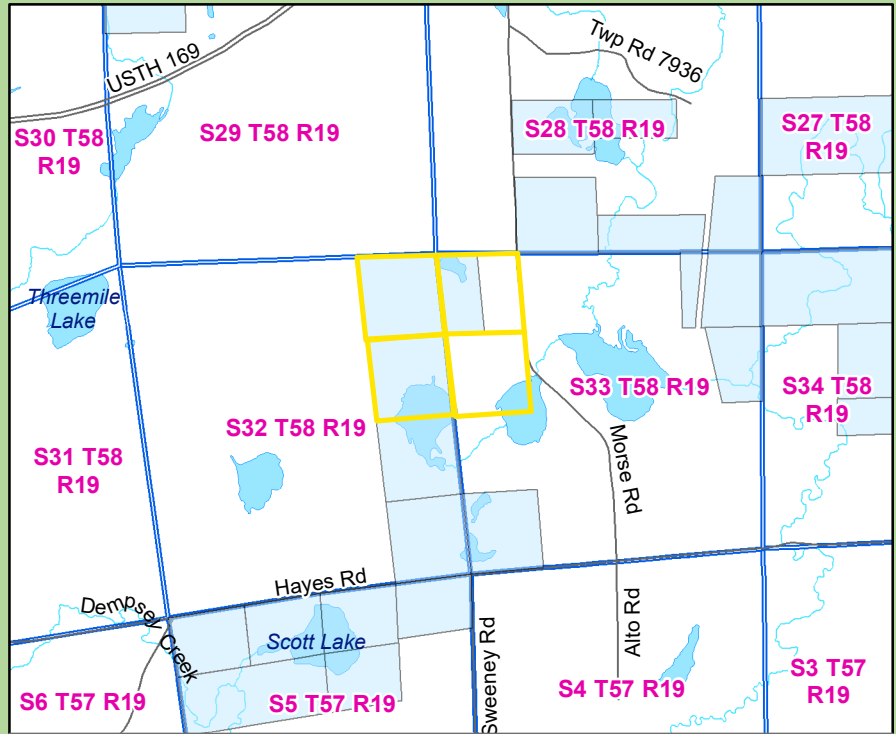
Legal: Undivided 6.25% of SE 1/4 OF NE 1/4,
 Sec 32 Twp 58N Rge 19W
 GREAT SCOTT SEVERED MINERALS
 Parcel Code: 385-7020-02516

Legal: Undivided 6.25% of W1/2 OF NW1/4,
 Sec 33 Twp 58N Rge 19W
 GREAT SCOTT SEVERED MINERALS
 Parcel Code: 385-7020-02740

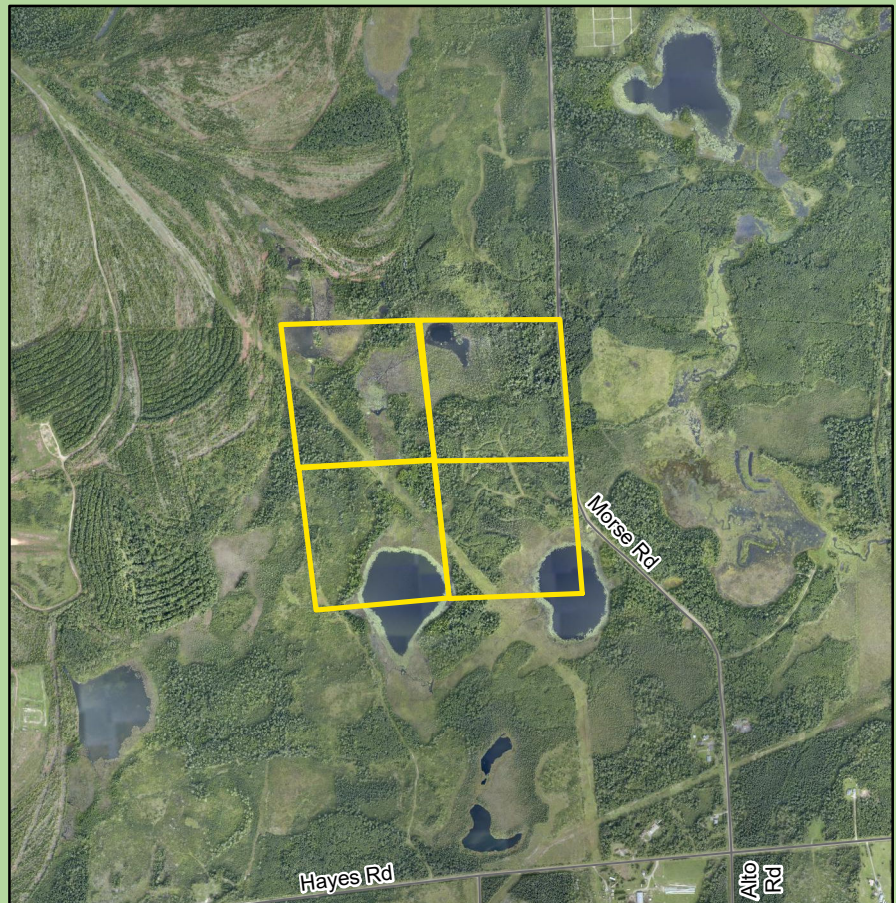
Legal: Undivided 6.25% of NW 1/4 OF NW 1/4,
 Sec 33 Twp 58N Rge 19W
 GREAT SCOTT SEVERED MINERALS
 Parcel Code: 385-7020-02771

Legal: Undivided 6.25% of SW 1/4 OF NW 1/4,
 Sec 33 Twp 58N Rge 19W
 GREAT SCOTT SEVERED MINERALS
 Parcel Code: 385-7020-02781





Severed minerals underlie the following surface parcels:
 385-0010-03420, 385-0010-03450, 385-0010-036650,
 385-0010-03660

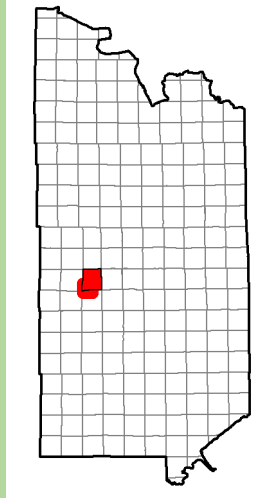


Town of Great Scott Sec: 32 & 33 Twp: 58N Rng: 19W



Commissioner District # 7

-  Area of Interest
-  Tax-Forfeited
-  Surface Interest
-  Road



This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. This drawing is a compilation of recorded information and data located in various city, county, state and federal offices. St. Louis County is not responsible for any incorrectness herein.

Stacy Caldwell Melcher

Subject: RE: Carlson mineral rights to St. Louis County

From: Robert Carlson <jammnrc@gmail.com>

Sent: Sunday, June 18, 2023 12:53 PM

To: Julie Marinucci <marinuccij@stlouiscountymn.gov>; landdept@stlouiscountymm.gov

Subject: Carlson mineral rights to St. Louis County

WARNING: External email. Please verify sender before opening attachments or clicking on links.

Dear Julie:

Please accept this email as my letter stating my interest in donating the Carlson mineral interest to St. Louis County. I have included pertinent ownership documents and if you find a need for additional information, we can review my file and I will forward documents you may need. Given that I am the remaining Carlson and have realized no other family interest there appears to be no benefit in maintaining interest in the mineral rights and I do not want to see the account go into a delinquent status. Working with you on this matter appears to be our ideal solution. In past correspondence dated April 6, 2023 I have documented all parcel numbers and they are in full current payment status as follows: 385-7020-02460,02512,02516,02740,02771,and 02781. The first 3, second 4 numbers are all the same & I have listed the last 5 with no noted errors.

Regards,

Robert L. Carlson

STATEMENT OF SEVERED MINERAL INTEREST

Pursuant to Sections 93.52 to 93.58, Minnesota Statutes Annotated, (Laws 1969, Chapter 829), as amended by Laws 1973, Chapter 650, Article XX, Notice is hereby given that the following-named person _____:

NAME ADDRESS FOR TAX STATEMENT

ROBERT L. CARLSON *Return* → 37 CAPE BRETON CT.
PACIFICA, CA. 94044

hereby declare(s) to be the owner in fee of the minerals that are owned separately from the fee title to the surface in and to the following-described property located in ST. LOUIS County, Minnesota, which mineral interests were created or acquired as recorded by the register of deeds or registrar of titles on book and page or microfilm as follows:*

LEGAL DESCRIPTION AND	BOOK AND PAGE OR MICROFILM NUMBER	NUMBER OF ACRES	PERCENTAGE OF MINERAL INTEREST
East half of Northeast quarter (E $\frac{1}{2}$ - NE $\frac{1}{4}$) section thirty two (32) and the West half of Northwest quarter (W $\frac{1}{2}$ - NW $\frac{1}{4}$) section thirty three (33) all in Township fifty eight (58) north, Range nineteen (19) West.	Book Deeds 322 (322) Page 271		Undivided $\frac{1}{4}$ interest in the minerals only in and to each of the tracts of land.

(NOTE: If more space is needed, attach additional pages numbered 1A, 1B, 1C, etc.)

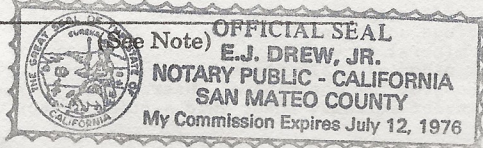
Signature of Owner: Robert L. Carlson

(If a Corporation, authorized signatures are necessary)

STATE OF MINNESOTA
COUNTY OF SAN MATEO } ss.

On this 23rd day of Dec, 1977, before me, a
within and for said County, personally appeared Robert L. Carlson

to me known to be the person described in, and who executed the foregoing instrument,
and acknowledged that he executed the same as his (See Note) free act and deed



[Signature]
Notary Public, SAN MATEO County, Minn.
My commission expires 7-12, 1976

NOTE: The blank lines marked "See Note" are for use when the instrument is executed by an attorney in fact. If additional individual acknowledgments are necessary, attach additional pages numbered 2A, 2B, 2C, etc.

STATE OF MINNESOTA }
COUNTY OF _____ } ss.

On this _____ day of _____, 19____, before me, a _____
within and for said County, personally appeared _____ and
to me personally known, who, being each by me duly

Sec. 2. Minnesota Statutes 1971, Section 272.04, Subdivision 1, is amended to read: 272.04 MINERAL, GAS, COAL, AND OIL OWNED APART FROM LAND; SPACE ABOVE AND BELOW SURFACE. Subdivision 1. When any mineral, gas, coal, oil, or other similar interests in real estate are owned separately and apart from and independently of the rights and interests owned in the surface of such real estate, such mineral, gas, coal, oil, or other similar interests may be assessed and taxed separately from such surface rights and interests in such real estate, including but not limited to the taxation provided in section 3 of this act, and may be sold for taxes in the same manner and with the same effect as other interests in real estate are sold for taxes.

Sec. 3. Minnesota Statutes 1971, Section 273.13, is amended by adding a subdivision to read:

Subd. 2a. CLASS 1b. "Mineral interest", for the purpose of this subdivision, means an interest in any minerals, including but not limited to gas, coal, oil, or other similar interest in real estate, which is owned separately and apart from the fee title to the surface of such real property. Mineral interests which are filed for record in the offices of either the register of deeds or registrar of titles pursuant to Minnesota Statutes, Sections 93.52 to 93.58, constitute class 1b, and shall be taxed as provided in this subdivision unless specifically excluded by this subdivision. A tax of \$.25 per acre or portion of an acre of mineral interest is hereby imposed and is due and payable annually. If an interest filed pursuant to sections 93.52 to 93.58 is a fractional undivided interest in an area, the tax due on the interest per acre or portion of an acre is equal to the product obtained by multiplying the fractional interest times \$.25, computed to the nearest cent. However, the minimum annual tax on any mineral interest is \$2. No such tax on mineral interests is due and payable on the following: (a) Mineral interests valued and taxed under other laws relating to the taxation of minerals, gas, coal, oil, or other similar interests; (b) Mineral interests which are exempt from taxation pursuant to constitutional or related statutory provisions. Tax money received under this subdivision shall be apportioned to the taxing districts included in the area taxed in the same proportion as the surface interest mill rate of a taxing district bears to the total mill rate applicable to surface interests in the area taxed. The tax imposed by this subdivision is not included within any limitations as to rate or amount of taxes which may be imposed in an area to which the tax imposed by this subdivision applies. The tax imposed by this subdivision shall not cause the amount of other taxes levied or to be levied in the area, which are subject to any such limitation, to be reduced in any amount whatsoever. The tax imposed by this section is effective for taxing years beginning January 1, 1975. Twenty percent of the revenues received from the tax imposed by this section shall be distributed under the provisions of section 4.

Sec. 5. Minnesota Statutes 1971, Section 93.52, Subdivision 2, is amended to read:

Subd. 2. Except as provided in subdivision 3, from and after January 1, 1970, every owner of a fee simple interest in minerals, hereafter referred to as a mineral interest, in lands in this state, which interest is owned separately from the fee title to the surface of the property upon or beneath which the mineral interest exists, shall file for record in the register of deeds office or, if registered properly, in the registrar of titles office in the county where the mineral interest is located a verified statement citing sections 93.52 to 93.58 and setting forth his address, his interest in the minerals, and both (1) the legal description of the property upon or beneath which the interest exists, and (2) the book and page number or the document number, in the records of the register of deeds or registrar of titles, of the instrument by which the mineral interest is created or acquired. No statement may be filed for record which contains mineral interests from more than one government section unless the instrument by which the mineral interest is created or acquired includes mineral interests from more than one government section. The register of deeds and registrar of titles shall file with the county auditor a copy of each document so recorded within 60 days after recording in the office of register of deeds or registrar of titles.

Sec. 6. Minnesota Statutes 1971, Section 93.55 is amended to read:

93.55 FAILURE TO FILE OR RE-FILE. If the owner of a mineral interest fails to file the verified statement required by section 93.52, before January 1, 1975, as to any interests owned on or before December 31, 1973, or within one year after acquiring such interests as to interests acquired after December 31, 1973, and not previously filed under section 93.52, the mineral interest shall forfeit to the state. Thereafter the mineral interest may be leased in the same manner as provided in Minnesota Statutes, Section 93.335, for the lease of minerals and mineral rights becoming the absolute property of the state under the tax laws, except that no permit or lease issued pursuant to this section shall afford the permittee or lessee any of the rights of condemnation provided in section 93.05, as to overlying surface interests. After the mineral interest has forfeited to the state pursuant to this section, a person claiming an ownership interest before the forfeiture may recover the fair market value of the interest, only in the following manner. An action must be commenced within six years after the forfeiture under this section to determine the ownership and the fair market value of the mineral interests in the property both at the time of forfeiture and at the time of bringing the action. The action shall be brought in the manner provided in Minnesota Statutes, Chapter 559, for an action to determine adverse claims, to the extent applicable. The person bringing the action shall serve notice of the action on the commissioner of natural resources in the same manner as is provided for service of notice of the action on a defendant. The commissioner may appear and contest the allegations of ownership and value in the same manner as a defendant in such actions. Persons determined by the court to be owners of the interests at the time of forfeiture to the state under this section may present to the state auditor a verified claim for refund of the fair market value of the interest. A copy of the court's decree shall be attached to the claim. Thereupon the state auditor shall refund to the claimant the fair market value at the time of forfeiture or at the time of bringing the action, whichever is the lesser, less any taxes, penalties, costs, and interest which could have been collected during the period following the forfeiture under this section, had the interest in minerals been valued and assessed for tax purposes at the time of forfeiture under this section. There is appropriated from the general fund to the persons entitled to a refund an amount sufficient to pay the refund. The forfeiture provisions of this section do not apply to mineral interests valued and taxed under other laws relating to the taxation of minerals, gas, coal, oil, or other similar interests, so long as a tax is imposed and no forfeiture under the tax laws is complete. However, if the mineral interest is valued under other tax laws, but no tax is imposed, the mineral interest forfeits under this section if not filed as required by this section.

900
3

Doc. No. 207251

STATEMENT OF SEVERED MINERAL INTEREST

OFFICE OF REGISTER OF DEEDS
STATE OF MINNESOTA
County of St. Louis
I hereby certify that the within instrument was filed in [blank] at [blank] on [blank] 1974
CLAUDE A. ILSE
Register of Deeds

OFFICE OF REGISTER OF DEEDS
STATE OF MINNESOTA

County of _____

I hereby certify that the within Statement was filed in this office for record on

the _____ day of _____, 19____, at _____ o'clock _____ M.,

and was duly recorded in Book _____, page _____, or Document # _____.

Register of Deeds
By _____ Deputy

Form 61-20

STATEMENT OF SEVERED MINERAL INTEREST

Pursuant to Sections 93.52 to 93.58, Minnesota Statutes Annotated, (Laws 1969, Chapter 829), as amended by Laws 1973, Chapter 650, Article XX, Notice is hereby given that the following-named person _____:

NAME	ADDRESS FOR TAX STATEMENT
Robert Carlson	37 Cape Britton ^{BRETTON} Court Pacifica, CA 94044

hereby declare(s) to be the owner... in fee of the minerals that are owned separately from the fee title to the surface in and to the following-described property located in St. Louis County, Minnesota, which mineral interests were created or acquired as recorded by the register of deeds or registrar of titles on book and page or microfilm as follows:*

LEGAL DESCRIPTION AND	BOOK AND PAGE OR MICROFILM NUMBER	NUMBER OF ACRES	PERCENTAGE OF MINERAL INTEREST
Undivided 1/16 interest of all minerals in the West 1/2 of NW 1/4 Section 23 and the East 1/2 of NE 1/4 Section 32, all in Township 58 North of Range 19 West	241424 250123	.60	ALL

(NOTE: If more space is needed, attach additional pages numbered 1A, 1B, 1C, etc.)

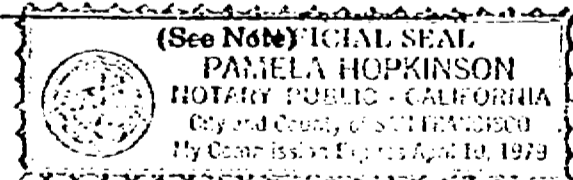
Signature of Owner: Robert Carlson

(If a Corporation, authorized signatures are necessary) _____

CALIFORNIA
STATE OF MINNESOTA
COUNTY OF San Francisco } ss.

On this 2nd day of May, 1977, before me, a Notary Public within and for said County, personally appeared Robert Carlson

to me known to be the person described in, and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed (See Note)



Pamela Hopkinson
Notary Public San Francisco County, ~~Minn.~~ CA
My commission expires 4/10/, 1979

NOTE: The blank lines marked "See Note" are for use when the instrument is executed by an attorney in fact. If additional individual acknowledgments are necessary, attach additional pages numbered 2A, 2B, 2C, etc.

STATE OF MINNESOTA
COUNTY OF _____ } ss.

On this _____ day of _____, 19____, before me, a _____ within and for said County, personally appeared _____ and _____

to me personally known, who, being each by me duly sworn did say that they are respectively the _____ President and the _____ of the corporation named in the foregoing instrument, and that the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of _____ and said _____ and _____ acknowledged said instrument to be the free act and deed of said corporation.

This instrument was drafted by _____

Name _____
Address _____

Notary Public _____ County, Minn.
My commission expires _____, 19____

EXPLANATION AND INSTRUCTIONS

1. Filing fee is same as for filing conveyance with Register of Deeds/Registrar of Titles
2. Name(s) of owner(s) of severed mineral rights and address for mailing of tax statements. The first tax will be payable in 1976 for taxable year 1975.
3. Be sure to insert county name and record with that county.
4. Filing must include full legal description and the recording information by which the claim to mineral interest severed from the surface was acquired; also the percentage of mineral interest claimed and the number of acres covered.
5. Additional descriptions to be filed in triplicate.
6. Sign in presence of Notary Public.
7. Print or type.
8. All three copies are to be presented for recording. After recording, one copy is returned to applicant including recording information.

EXCERPTS FROM 1973, CHAPTER 550, ARTICLE XX

Sec. 2. Minnesota Statutes 1971, Section 272.04, Subdivision 1, is amended to read:
 272.04 MINERAL, GAS, COAL, AND OIL OWNED APART FROM LAND; SPACE ABOVE AND BELOW SURFACE; Subdivision 1.
 When any mineral, gas, coal, oil, or other similar interests in real estate are owned separately and apart from and independently of the rights and interests owned in the surface of such real estate, such mineral, gas, coal, oil, or other similar interests may be assessed and taxed separately from such surface rights and interests in such real estate, including but not limited to the taxation provided in section 3 of this act, and may be sold for taxes in the same manner and with the same effect as other interests in real estate are sold for taxes.

Sec. 3. Minnesota Statutes 1971, Section 273.13, is amended by adding a subdivision to read:
 Subd. 2a. CLASS 1b. "Mineral interest", for the purpose of this subdivision, means an interest in any minerals, including but not limited to gas, coal, oil, or other similar interest in real estate, which is owned separately and apart from the fee title to the surface of such real property. Mineral interests which are filed for record in the offices of either the register of deeds or registrar of titles pursuant to Minnesota Statutes, Sections 93.52 to 93.58, constitute class 1b, and shall be taxed as provided in this subdivision unless specifically excluded by this subdivision. A tax of \$.25 per acre or portion of an acre of mineral interest is hereby imposed and is due and payable annually. If an interest filed pursuant to sections 93.52 to 93.58 is a fractional undivided interest in an area, the tax due on the interest per acre or portion of an acre is equal to the product obtained by multiplying the fractional interest times \$.25, computed to the nearest cent. However, the minimum annual tax on any mineral interest is \$2. No such tax on mineral interests is due and payable on the following: (a) Mineral interests valued and taxed under other laws relating to the taxation of minerals, gas, coal, oil, or other similar interests; (b) Mineral interests which are exempt from taxation pursuant to constitutional or related statutory provisions. Tax money received under this subdivision shall be apportioned to the taxing districts included in the area taxed in the same proportion as the surface interest will rate of a taxing district bears to the total will rate applicable to surface interests in the area taxed. The tax imposed by this subdivision is not included within any limitations as to rate or amount of taxes which may be imposed in an area to which the tax imposed by this subdivision applies. The tax imposed by this subdivision shall not cause the amount of other taxes levied or to be levied in the area, which are subject to any such limitation, to be reduced in any amount whatsoever. The tax imposed by this section is effective for taxing years beginning January 1, 1975. Twenty percent of the revenues received from the tax imposed by this section shall be distributed under the provisions of section 4.

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 Subd. 2. Except as provided in subdivision 3, from and after January 1, 1970, every owner of a fee simple interest in minerals, hereafter referred to as a mineral interest, in lands in this state, which interest is owned separately from the fee title to the surface of the property upon or beneath which the mineral interest exists, shall file for record in the register of deeds office or, if registered properly, in the registrar of titles office in the county where the mineral interest is located a verified statement citing sections 93.52 to 93.58 and setting forth his address, his interest in the minerals, and both (1) the legal description of the property upon or beneath which the interest exists, and (2) the book and page number or the document number, in the records of the register of deeds or registrar of titles, of the instrument by which the mineral interest is created or acquired. No statement may be filed for record which contains mineral interests from more than one government section unless the instrument by which the mineral interest is created or acquired includes mineral interests from more than one government section. The register of deeds and registrar of titles shall file with the county auditor a copy of each document so recorded within 60 days after recording in the office of register of deeds or registrar of titles.

Sec. 6. Minnesota Statutes 1971, Section 93.55 is amended to read:
 93.55 FAILURE TO FILE OR RE-FILE. If the owner of a mineral interest fails to file the verified statement required by section 93.52, before January 1, 1975, as to any interests owned on or before December 31, 1973, or within one year after acquiring such interests as to interests acquired after December 31, 1973, and not previously filed under section 93.52, the mineral interest shall forfeit to the state. Thereafter the mineral interest may be leased in the same manner as provided in Minnesota Statutes, Section 93.335, for the lease of minerals and mineral rights becoming the absolute property of the state under the tax laws, except that no permit or lease issued pursuant to this section shall afford the permittee or lessee any of the rights of condemnation provided in section 93.05, as to overlying surface interests. After the mineral interest has forfeited to the state pursuant to this section, a person claiming an ownership interest before the forfeiture may recover the fair market value of the interest, only in the following manner. An action must be commenced within six years after the forfeiture under this section to determine the ownership and the fair market value of the mineral interests in the property both at the time of forfeiture and at the time of bringing the action. The action shall be brought in the manner provided in Minnesota Statutes, Chapter 559, for an action to determine adverse claims, to the extent applicable. The person bringing the action shall serve notice of the action on the commissioner of natural resources in the same manner as is provided for service of notice of the action on a defendant. The commissioner may appear and contest the allegations of ownership and value in the same manner as a defendant in such actions. Persons determined by the court to be owners of the interests at the time of forfeiture to the state under this section may present to the state auditor a verified claim for refund of the fair market value of the interest. A copy of the court's decree shall be attached to the claim. Thereupon the state auditor shall refund to the claimant the fair market value at the time of forfeiture or at the time of bringing the action, whichever is the lesser, less any taxes, penalties, costs, and interest which could have been collected during the period following the forfeiture under this section, had the interest in minerals been valued and assessed for tax purposes at the time of forfeiture under this section. There is appropriated from the general fund to the persons entitled to a refund an amount sufficient to pay the refund. The forfeiture provisions of this section do not apply to mineral interests valued and taxed under other laws relating to the taxation of minerals, gas, coal, oil, or other similar interests, so long as a tax is imposed and no forfeiture under the tax laws is complete. However, if the mineral interest is valued under other tax laws, but no tax is imposed, the mineral interest forfeits under this section if not filed as required by this section.

Doc. No. 252017

STATEMENT OF SEVERED MINERAL INTEREST

STATE OF MINNESOTA
 COUNTY OF _____
 I, _____, do hereby certify that the office of the Register of Deeds is located at _____, _____, Minnesota.
 I have examined the original of the instrument described above and find it to be a true and correct copy of the original as the same appears in the records of the Register of Deeds.

OFFICE OF REGISTER OF DEEDS
 STATE OF MINNESOTA
 County of _____

I hereby certify that the within Statement was filed in this office for record on

the _____ day of _____, 19____, at _____ o'clock _____ M.,

and was duly recorded in Book _____, page _____ or Document # _____.

By _____ Deputy Register of Deeds

Eckman, et al P. 6.00



St. Louis County Board of Commissioners
Request for Board Action 23 - 329

Committee: **Environment & Natural Resources** Date: August 8, 2023
From: Julie Marinucci, Director
Land & Minerals Attachments: yes no
Nancy J. Nilsen, County Auditor/Treasurer Consent: yes no
Reviewed by: Kevin Z. Gray, County Administrator

ITEM: State Tax-Forfeited Land Use Lease – Dock and Shoreland Access

Background/Overview:

Sandy Milton-Daniels of Kinney has requested a lease to access the dock and shoreland across state tax-forfeited land (Parcel 150-0030-00230) adjacent to property at 514 Basswood Ave., Kinney, Minnesota 55758.

The purpose of this lease is to allow the docking of lessee’s boat only, along with general access and use for purposes of swimming and fishing. The dock and shoreland access lease would measure approximately 130.5 sq. ft. total with 52.5 sq. ft. of shoreline encumbered and would run for a standard five-year lease period before renewal.

Policy Objectives:

To generate revenue for the taxing districts and promote private and public recreational use of public waters through temporary leasing of tax-forfeited lands where adverse environmental or other impacts are not anticipated pursuant to Minn. Stat. § 282.04, subd. 1(d).

Fiscal/Budget Impacts/Funding Source/FTE Considerations:

Dock leases are included in the 2023 County Board approved fee schedule at a rate of \$200 per year land use fee, plus an administrative fee of \$75. Lessee will make payment in full of \$1,075, which represents all amounts due and owing in the lease agreement for the duration of the initial five-year period. The lease may be renewed upon review and approval of the County Auditor, as directed by the County Board. Any such renewal shall be subject to then-current lease fees and prices.

Leases are subject to property taxes per Minn. Stat. § 273.19 and Minn. Stat. § 272.01, subd. 2.

Recommendation:

It is recommended that the St. Louis County Board approve the lease application of Sandy Milton-Daniels of Kinney, Minnesota, subject to payments including: a land use fee of \$1,000 and an administrative fee of \$75 for a sum total of \$1,075, all to be deposited into Fund 240 (Tax-Forfeited Land Fund).

State Tax-Forfeited Land Use Lease – Dock and Shoreland Access

BY COMMISSIONER _____

WHEREAS, Minn. Stat. § 282.04, subd. 1(d), authorizes the County Auditor, as directed by the County Board, to lease state tax-forfeited land to individuals, corporations, or organized subdivisions of the state for temporary uses at such prices and under such terms as the County Board may prescribe; and

WHEREAS, The applicant, Sandy Milton-Daniels of Kinney, Minnesota, has applied for a lease across state tax-forfeited land legally described as:

Legal: NW1/4 OF NW1/4 EX NLY 500 FT OF WLY 225 FT, Sec 14
Twp 58N Rge 19W

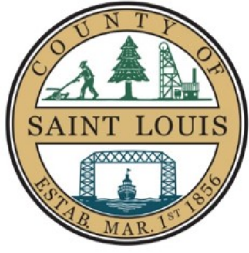
Parcel ID No: 150-0030-00230

LDKey: 106200

WHEREAS, The St. Louis County Land and Minerals Department has reviewed this request and recommends a lease fee of \$200 per year for five years as per 2023 County Board approved fee schedule.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board of Commissioners authorizes the County Auditor to lease 130.5 sq. ft. of state tax-forfeited land to Sandy Milton-Daniels for an initial period of five (5) years for dock and shoreland access.

RESOLVED FURTHER, That the granting of this lease is conditioned upon payment of a \$1,000 land use fee and a \$75 administrative fee for a sum total of \$1,075, all to be deposited into Fund 240 (Tax-Forfeited Land Fund).





LAND & MINERALS

ST. LOUIS COUNTY, MN

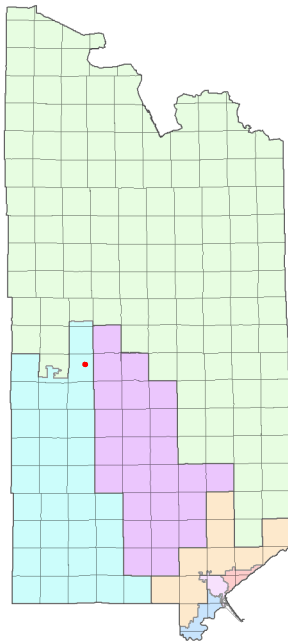
Tax-Forfeited Lease








Affected Parcel:
150-0030-00230
Sec 14 T58N R19W



-  Tax Forfeited
-  Proposed Dock Lease

St. Louis County District Map



-  District 1
-  District 2
-  District 3
-  District 4
-  District 5
-  District 6
-  District 7



A dock and shoreland access lease measuring approximately 130.5 sq. ft. total (.006 acres total). Shoreline encumbered is approximately 52.5 sq. ft. (.002 acres).

This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. This drawing is a compilation of recorded information and data located in various city, county, state and federal offices. St. Louis County is not responsible for any incorrectness herein.



St. Louis County Board of Commissioners
Request for Board Action 23 - 330

Committee: **Environment & Natural Resources**

Date: August 8, 2023

From: Julie Marinucci, Director

Land & Minerals

Attachments: yes no

Nancy J. Nilsen, County Auditor/Treasurer

Consent: yes no

Reviewed by: Kevin Z. Gray, County Administrator

ITEM: Right-of-Way Easement Across State Tax-Forfeited Land to Brendan Berthold and Holly Hendrick (Unorganized Twp. 66-20)

Background/Overview:

Brendan Berthold and Holly Hendrick are requesting a perpetual, non-exclusive, 33-foot-wide right-of-way easement across state tax-forfeited parcels to access private land in Unorganized Twp. 66-20. Approximately .02 acres would be encumbered by the easement.

The County has reviewed the request and found that there are no reasonable alternatives to obtain access to the property and that exercising the easement will not cause significant adverse environmental or natural resource management impacts. The easement was reviewed for accuracy by county staff and determined to satisfy all statutory and internal requirements for encumbrance of public lands.

Policy Objectives:

Minn. Stat. § 282.04, subd. 4a, states that a county board may convey a road easement across unsold tax-forfeited land to an individual or a private entity requesting such easement.

Fiscal/Budget Impacts/Funding Source/FTE Considerations:

Under the County's 2023 adopted fee schedule, a grant of this easement requires payment of a \$20 land use fee, a \$150 administration fee, and a \$46 recording fee, for a sum total of \$216, funds to be deposited into Fund 240 (the State of Minnesota Tax-Forfeited Land Fund).

Recommendation:

It is recommended that the St. Louis County Board approve the granting of a perpetual, non-exclusive, 33-foot-wide easement for right-of-way purposes to Brendan Berthold and Holly Hendrick upon receipt of payment in the amount of a \$20 land use fee, a \$150 administration fee, and a \$46 recording fee, for a sum total of \$216, all to be deposited into Fund 240 (the State of Minnesota Tax-Forfeited Land Fund).

**Right-of-Way Easement Across State Tax-Forfeited Land to
Brendan Berthold and Holly Hendrick (Unorganized Twp. 66-20)**

BY COMMISSIONER _____

WHEREAS, Brendan Berthold and Holly Hendrick have requested a non-exclusive, perpetual, 33-foot-wide right-of-way easement across state tax-forfeited land to access private property; and

WHEREAS, There are no reasonable alternatives to obtain access to the property, and exercising the easement will not cause significant adverse environmental or natural resource management impacts; and

WHEREAS, Minn. Stat. § 282.04, subd. 4a, authorizes the St. Louis County Auditor to grant easements across state tax-forfeited land for such purposes;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the St. Louis County Auditor to grant a non-exclusive, perpetual, 33-foot-wide right-of-way access easement for ingress and egress purposes to Brendan Berthold and Holly Hendrick across state tax-forfeited lands as described in County Board File No. _____.

RESOLVED FURTHER, That the granting of this easement is conditioned upon receipt of payment in the amount of a \$20 land use fee, a \$150 administration fee, and a \$46 recording fee, for a sum total of \$216, all to be deposited into Fund 240 (the State of Minnesota Tax-Forfeited Land Fund).

Exhibit A

(Legal Description)

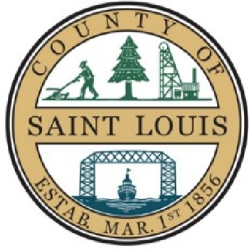
State of Minnesota, by and through St. Louis County

Right-of-Way Easement Across State Tax-Forfeited Land

A 33-foot-wide ingress and egress easement over and across that part of the Southwest Quarter of the Northeast Quarter of Section 15, Township 66 North, Range 20 West, of the Fourth Principal Meridian, St. Louis County, Minnesota. The centerline of said 33-foot-wide easement is described as follows:

Commencing at the southwest corner of said Southwest Quarter of the Northeast Quarter, thence South 87 degrees 17 minutes 39 seconds East, assigned bearing along the South line of said Southwest Quarter of the Northeast Quarter, a distance of 21.79 feet, to the point of beginning of said centerline; thence North 54 degrees 29 minutes 09 seconds West 26.53 feet, more or less, to the West line of said Southwest Quarter of the Northeast Quarter, then said centerline terminates.

The northeasterly sideline of said 33-foot-wide easement shall be prolonged or shortened to the West and South line of said Southwest Quarter of the Northeast Quarter.

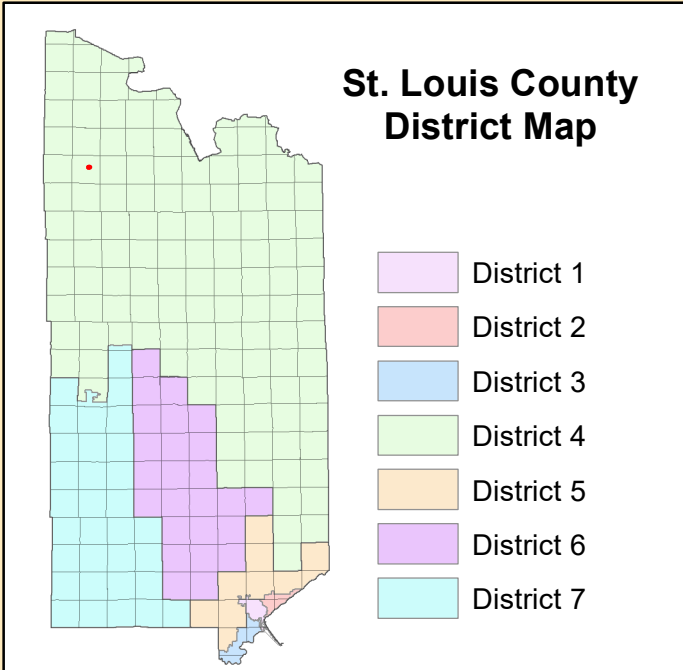
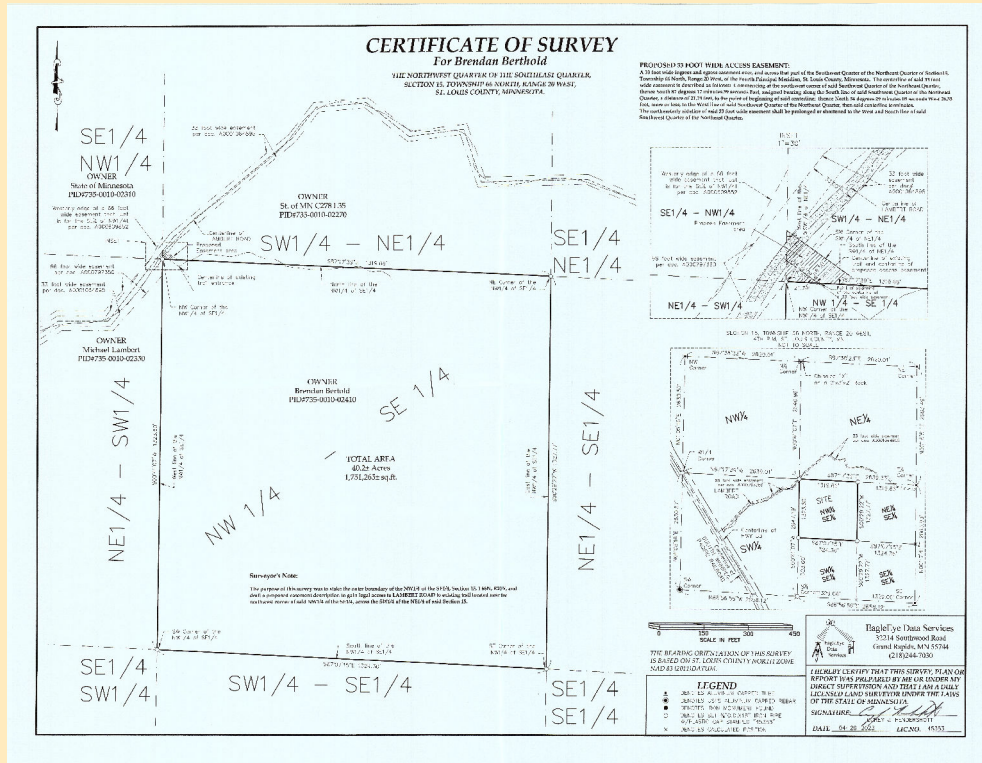


LAND & MINERALS

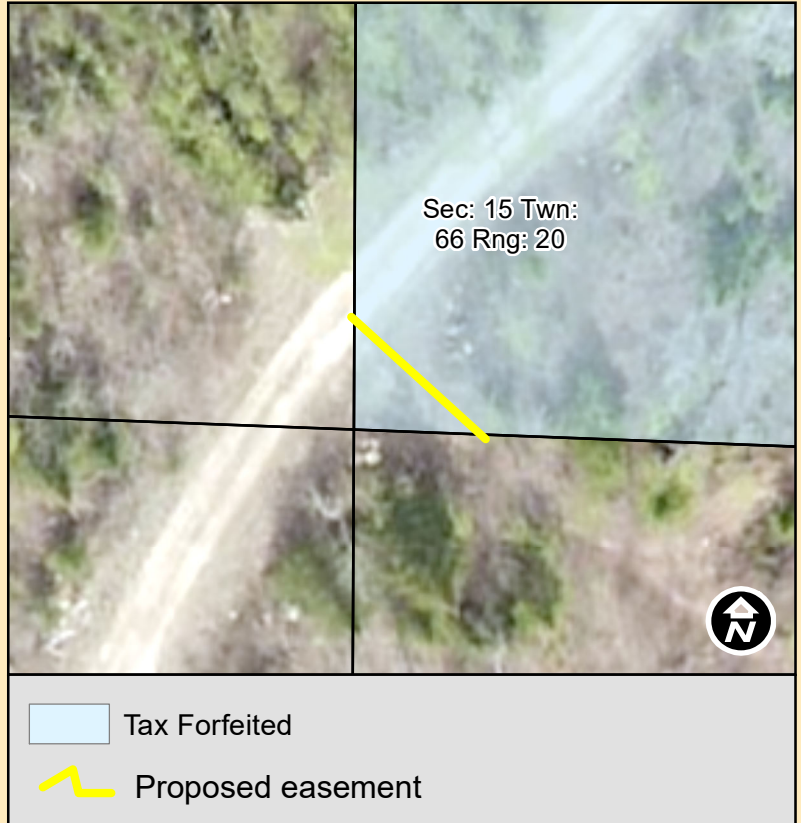
ST. LOUIS COUNTY, MN

Tax-Forfeited Easement

Affected Parcels:
 PIN 735-0010-02270
 Sec 15, T66N R20W



This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. This drawing is a compilation of recorded information and data located in various city, county, state and federal offices. St. Louis County is not responsible for any incorrectness herein.





St. Louis County Board of Commissioners Request for Board Action 23 - 331

Committee: **Public Works & Transportation** Date: August 8, 2023
From: James T. Foldesi, Public Works Director/
Highway Engineer
James R. Gottschald, Director Human Resources
and Administration Attachments: yes no
Reviewed by: Kevin Z. Gray, County Administrator Consent: yes no

ITEM: Approval of Public Works Heavy Equipment Mechanic Apprenticeship Positions

Background/Overview:

The Highway Maintenance Division of Public Works is responsible for maintaining the fleet of heavy and light duty equipment for county highway and road construction and maintenance needs. Due to the highly competitive market for skilled Heavy Equipment Mechanic (HEM) staff and limited number of available candidates to source employees from, Public Works has been working with Human Resources and Teamsters Local 320 to develop a skilled apprentice program to source individuals earlier in their preparation and training for work in this skilled mechanical trades field. Given the number of concurrent Heavy Equipment Mechanic vacancies in the division at any given time, there are additional pressures on the existing HEM staff, which results in increased workload, stress and burn-out.

Over the last 5 years, there were 20 new hires into the 32 total Heavy Equipment Mechanic positions county-wide, or 66% turnover. This turnover and constant recruiting, interviewing and onboarding puts considerable burden on the Public Works Highway Maintenance Division to hire and train repeatedly from already depleted applicant pools.

The county recently developed and adopted an Apprentice job class to be leveraged in cases where applicant pools are inadequate to fill current and anticipated vacancies, and updated its civil service rules for compensation considerations. The County and Teamsters Local 320 have further partnered to enter into a Memorandum of Agreement to maximize the likelihood of success for apprentices under the terms and conditions of employment of the Highway Maintenance Workers collective bargaining agreement. Public Works and Human Resources are committed to maintaining relationships with technical colleges and building relationships with local high schools to promote apprenticeships and career opportunities in the various job classes of the county where Apprentices can add value.

Public Works and Human Resources are proposing a Heavy Equipment Mechanic Apprentice model where up to four 0.5 FTE apprentices would be selected each year and assigned to one of the six Heavy Equipment Mechanic duty stations. Under this scenario, it is anticipated that up to four individuals would be first-year apprentices and up to four would second-year apprentices (the program is a two-year technical program).

In consultation with Human Resources and County Administration, Public Works has concluded the flexibility to utilize up to eight 0.5 FTE Heavy Equipment Mechanic Apprentices will enable the Department to develop an internal pool of future Heavy Equipment Mechanics, even if it is feasible to extend job offers to external fully qualified candidates as they become available. The goal is to carry fewer concurrent vacancies while reducing overtime demands of existing staff and turnover. Assuming the historical and ongoing attrition in this job class series carries forward, as well as other classes in the Highway Maintenance Division, no additional personnel budget is being requested. This apprentice program will continue to be reviewed and the actual number of apprentice positions utilized (up to the number approved by the Board), will be re-evaluated at the beginning of any apprentice hiring period.

Human Resources has reviewed the proposed job duties and have determined that the Apprentice job class is appropriate.

While the County's experience suggests that it is highly unlikely, it is feasible that the Heavy Equipment Mechanic positions are 100% filled at some point while there are Apprentices in the training program. The Department would continue to employ existing HEM Apprentices in that class until a vacancy becomes available, by holding another position vacant in the Highway Maintenance Division.

Policy Objectives:

Civil service employment law §383C.03 et seq, civil service rules 4 – 7 and the County Board approved job description provide for the creation and employment of Apprentices. County fiscal policies require new positions be allocated by Human Resources and approved by the County Board.

Fiscal/Budget Impacts/Funding Source/FTE Considerations:

The estimated cost per 0.5 FTE Apprentice is 80% of the Heavy Equipment Mechanic (without insurance costs) or \$31,500, payable from Fund 200, Agency 202022, Object 610100. The Public Works Department budgets approximately \$85,000 per fully-burdened 1.0 FTE Heavy Equipment Mechanic vacancy.

Recommendation:

It is recommended that the St. Louis County Board approve eight 0.5 FTE Heavy Equipment Mechanic Apprentice positions to be used for a proposed HEM apprentice program.

Approval of Public Works Heavy Equipment Mechanic Apprenticeship Positions

BY COMMISSIONER _____

WHEREAS, The County recently developed and adopted an Apprentice job class to be leveraged in cases where applicant pools are inadequate to fill current and anticipated vacancies; and

WHEREAS, Due to the highly competitive market for skilled Heavy Equipment Mechanic (HEM) staff and limited number of available candidates to source employees from, Public Works has worked with Human Resources and Teamsters Local 320 to develop a skilled apprentice program.

THEREFORE, BE IT RESOLVED, The St. Louis County Board approves eight 0.5 FTE Heavy Equipment Mechanic Apprentice positions to be used for a proposed HEM apprentice program.

RESOLVED FURTHER, That these positions will be paid out of Fund 200, Agency 202022, Object 610100. No additional personnel budget is authorized.



St. Louis County Board of Commissioners Request for Board Action 23 – 332

Committee: **Health & Human Services**

Date: August 8, 2023

From: Linnea Mirsch, Director
Public Health & Human Services

Attachments: yes no

Reviewed by: Kevin Z. Gray, County Administrator

Consent: yes no

ITEM: Reallocation of Child Support Officer to Financial Worker

Background/Overview:

The St. Louis County Board is requested to approve the reallocation of a 1.0 FTE Child Support Officer position in the Public Health and Human Services Department (PHHS) to a 1.0 FTE Financial Worker position.

Whenever a vacancy occurs in PHHS, a review is done to determine if that position should be filled as is or if it should be reallocated to a level more aligned with the needs of the Department and the customers it serves. PHHS has held the Child Support Officer position open and reviewing needs since it became vacant in 2020. The Child Support unit restructured their work which resulted in efficiencies and an increase of one of the State's reporting measures in cost-effectiveness. This restructure has proven to be successful and sustainable.

There is currently a need for additional Financial Workers due to the workload increases and increased turnover rates due to workforce challenges. The Financial Worker will determine and redetermine eligibility for Public Assistance programs following strict policy and procedures developed at the Federal, State and County levels. The Financial Worker will provide accurate and timely benefit determinations while providing excellent customer service. The Financial Worker will communicate with customers, both internally and externally using in-person, email and telephone processes. The Financial Worker will complete training in complex policy and procedures for Public Assistance programs and accurately administer policy and procedures. The Financial Worker will work in multiple technical systems for processing and maintaining Public Assistance eligibility.

Policy Objectives:

PHHS requested a position reallocation review by the Human Resources Department. On August 1, 2023, Human Resources reallocated the Child Support Officer position to the Financial Worker position. Because this reallocation is more than three pay grades, County Board approval is required.

Fiscal/Budget Impacts/Funding Source/FTE Considerations:

The reallocation will result in an annual decrease of \$ \$5,844 to the departmental budget. The decrease will be accounted for in Fund 230, Agency 231014, Object 610100.

Recommendation:

It is recommended that the St. Louis County Board reallocate a 1.0 FTE Child Support Officer position (Position code F0134-005, Pay Grade B18, Step 1) to a 1.0 FTE Financial Worker

position (Pay Grade B13 Step 1) in the Public Health and Human Services Department, resulting in an annual decrease of \$5,844, to be accounted for in Fund 230, Agency 231014, Object 610100.

Reallocation of Child Support Officer to Financial Worker

BY COMMISSIONER _____

WHEREAS, When a vacancy occurs in the Public Health and Human Services Department (PHHS), a review is done to determine if that position should be filled as is or if it should be reallocated to a level more aligned with the needs of the Department and the customers it serves; and

WHEREAS, PHHS and the Human Resources Department conducted such a review when the results of Child Support restructuring made it clear a vacant Child Support Officer position could be reallocated to meet the significant workload increase needs in Public Assistance as a Financial Worker; and

WHEREAS, County Fiscal Policies specify that any position change greater than three pay grades must go before the County Board for approval;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the reallocation of a 1.0 FTE Child Support Officer position (Position code F0134-005, Pay Grade B18, Step 1), to a 1.0 FTE Financial Worker position (Pay Grade B13 Step 1), in the Public Health and Human Services Department, resulting in an annual decrease of \$5,844, to be accounted for in Fund 230, Agency 231014, Object 610100.

PHHS Reallocation Tracking

Former Job Title	New Job Title	Date of Reallocation	Position Code	Additional Cost	Decrease
Social Worker (MSW)	Public Health Programs Coordinator	2/7/2023	0011-132	\$7,898.00	
Public Health Nurse	Public Health Educator I	2/9/2023	0800-002		\$3,569.00
Mental Health Professional	Social Worker (MSW)	5/24/2023	0016-016		\$2,184.00
Information Specialist II	Spcial Worker (MSW)	7/25/2023	0421-004	\$16,248.00	
Child Support Officer	Financial Worker	pending board approval	F0134-005		\$5,844.00
Child Support Officer	FAD Trainer	8/1/2023	F0135-024	no increase or decrease	
Information Specialist II	Financial Worker	8/1/2023	0421-038		\$3,576.00



St. Louis County Board of Commissioners Request for Board Action 23 - 333

Committee: **Finance & Budget**

Date: August 8, 2023

From: Nancy J. Nilsen, County Auditor/Treasurer

Attachments: yes no

Reviewed by: Kevin Z. Gray, County Administrator

Consent: yes no

ITEM: Fire Protection/First Responder Services Contracts for Unorganized Territories 2024

Background/Overview

The St. Louis County Board acting on behalf of unorganized townships, annually levies taxes on properties located in unorganized territories to provide fire protection and/or first responder services. In July of 2023, the Cook City Council adopted a resolution to merge with the Evergreen Fire Department and will provide coverage for Unorganized Townships 60-19, 60-20, 62-17 and 63-17. The attached resolution lists the proposed levy dollar amounts and organized associations that have requested to contract with St. Louis County to provide fire protection and/or first responder services to specific unorganized territories for the year 2024.

Policy Objectives:

Minn. Stat. § 365.243 authorizes the St. Louis County Board to enter into contractual agreements to obtain fire protection and/or first responder services for unorganized territories within the county. The statute authorizes the County Board to levy a tax to finance these services and requires that all funds levied for this purpose be distributed to the first responder or fire protection associations.

Fiscal/Budget Impacts/Funding Source/FTE Considerations:

The total proposed 2024 levy for unorganized township fire protection and/or first responder services is \$698,231. The funds will be accounted for in Fund 148, Agency 148001, Object 699100.

Recommendation:

It is recommended that the St. Louis County Board authorize the County Auditor to levy for the provision of fire protection and/or first responder services to identified unorganized territories within the county beginning January 1, 2024, and to authorize the agreements with the listed associations for the provision of these services.

**Fire Protection/First Responder Services Contracts
for Unorganized Territories - 2024**

BY COMMISSIONER _____

WHEREAS, The St. Louis County Board is authorized to act on behalf of unorganized townships for purposes of furnishing fire protection and/or first responder services, pursuant to Minn. Stat. § 365.243; and

WHEREAS, The following legally organized corporations under the State of Minnesota have notified St. Louis County of their intent to provide fire protection and/or first responder services in said townships for the year 2024.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate county officials to sign any associated contract documents.

RESOLVED FURTHER, That all funds levied for this purpose must be distributed to the first responder or fire protection associations, pursuant to Minn. Stat. § 365.243.

RESOLVED FURTHER, That the County Auditor is hereby authorized to levy for the furnishing of fire protection and/or first responder services in unorganized townships in the following estimated amounts, to be accounted for in Fund 148, Agency 148001, Object 699100:

<u>City of Babbitt</u>	
Unorganized Townships 61-12 & 61-13	\$77,985
<u>Bearville Township Volunteer Fire Dept.</u>	
Unorganized Township 62-21 & 63-21 (Sections 25-36)	\$9,295
<u>Central Lakes Volunteer Fire Dept.</u>	
Unorganized Township 56-17	\$52,000
<u>City of Chisholm</u>	
Unorganized Township 59-21	\$18,285
(Everything <u>except</u> 13041 Memory Lane through 13083 Memory Lane)	
<u>Colvin Volunteer Fire Dept.</u>	
Unorganized Township 55-14 & 55-15 (Sections 1-21 and 29 & 30)	\$21,000
<u>City of Cook</u>	
Unorganized Townships 62-17 & 63-17	\$20,000
<u>City of Cook.</u>	
Unorganized Townships 60-19 & 60-20	\$45,427

<u>Ellsburg Volunteer Fire Dept.</u> Unorganized Township 55-15 (Sections 22-28 and 31-36)	\$6,000
<u>Embarrass Region Volunteer Fire Dept.</u> Unorganized Township 61-14	\$6,645
<u>City of Floodwood</u> Unorganized Township 52-21	\$14,036
<u>French Volunteer Fire Dept.</u> Unorganized Township 59-21 (13041 Memory Lane through 13083 Memory Lane)	\$1,339
<u>Gnesen Volunteer Fire Dept.</u> Unorganized Township 53-15	\$18,812
<u>Greenwood Township Volunteer Fire Dept.</u> Unorganized Township 63-15	\$11,000
<u>Lake Kabetogama Area Fire Dept.</u> Unorganized Townships 67-20, 67-21, 68-19, 68-20, 68-21 & 69-19	\$40,000
<u>Lakeland Volunteer Fire Dept.</u> Unorganized Township 57-16	\$86,000
<u>Makinen Volunteer Fire Dept.</u> Unorganized Township 56-16	\$44,000
<u>Morse-Fall Lake Rural Protection Assoc.</u> Unorganized Townships 63-14, 64-12, 64-13, 65-13 & 65-14	\$32,643
<u>Northland Volunteer Fire Dept.</u> Unorganized Township 53-16	\$18,000
<u>City of Orr</u> Unorganized Township 63-19, 63-21 (Sections 1-24), 64-21 (Section 21, NE ¼ of NE ¼), 64-21 (Sections 22-27), 64-21 (Section 28, SW ¼ of SW ¼), 64-21 (Section 29, SE ¼ of SE ¼ & SW ¼ of S/W ¼), 64-21 (Sections 30-36), & 66-20	\$12,821

<u>Palo Regional Volunteer Fire Dept.</u> Unorganized Townships 56-14, 57-14 & 58-14 (Sections 25-36)	\$36,000
<u>Pequaywan Lake Volunteer Fire Dept.</u> Unorganized Township 54-13	\$8,000
<u>Pike-Sandy-Britt Volunteer Fire Dept.</u> Unorganized Townships 59-16 & 60-18	\$58,943
<u>Silica Volunteer Fire Dept.</u> Unorganized Township 55-21	\$60,000
Total Levy for Unorganized Township Fire Protection and/or First Responder Services	\$698,231

2024 - Unorganized Township Fire Contract Proposals

Fire Department	Parcel Information			Current Levy Spread		Levy Spread Evenly		Fire / EMS Call Information					
	Total # of Parcels in Coverage Area	Total # of Improved Parcels in Coverage Area	% of Improved Parcels in Coverage Area	Proposed 2024 Levy Amount	Average Share Per Improved Parcel (Proposed Levy Amount)	Proposed 2024 Levy Amount - Spread Evenly	Average Share Per Improved Parcel (Proposed Levy Amount)	Number of Fire / EMS calls 2018	Number of Fire / EMS calls 2019	Number of Fire / EMS calls 2020	Number of Fire / EMS calls 2021	Number of Fire / EMS calls 2022	Total Number of Fire / EMS calls 2018- 2022

City of Babbitt

Unorg 61-12	414	155	37%	15,261	\$ 98	19,279	\$ 124	5	3	3	10	1	22
Unorg 61-13	913	472	52%	62,724	\$ 133	58,706	\$ 124	15	6	3	3	7	34
Total	1,327	627	47%	77,985	\$ 124	77,985	\$ 124	20	9	6	13	8	56

Bearville Township

Unorg 62-21	438	118	27%	7,250	\$ 61	7,779	\$ 66	3	6	5	7	3	24
Unorg 63-21 Sections 25-36	123	23	19%	2,045	\$ 89	1,516	\$ 66	15	6	1	0	0	22
Total	561	141	25%	9,295	\$ 66	9,295	\$ 66	18	12	6	7	3	46

Central Lakes

Unorg 56-17	636	298	47%	52,000	\$ 174	52,000	\$ 174	27	26	32	33	38	156
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City of Chisholm

Unorg 59-21 (part of) Everything except 13041 Memory Lane through 13083 Memory Lane	613	190	31%	18,285	\$ 96	18,285	\$ 96	6	0	7	13	9	35
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Colvin

Unorg 55-15 (part of) Sections 1-21, 29, 30	259	84	32%	13,000	\$ 155	10,256	\$ 122	2	3	3	1	3	12
Unorg 55-14	339	88	26%	8,000	\$ 91	10,744	\$ 122	4	1	2	2	8	17
Total	598	172	29%	21,000	\$ 122	21,000	\$ 122	6	4	5	3	11	29

City of Cook

Unorg 62-17	208	43	21%	2,000	\$ 47	2,019	\$ 47	1	1	0	2	2	6
Unorg 63-17	808	383	47%	18,000	\$ 47	17,981	\$ 47	8	8	9	14	12	51
Total	1,016	426	42%	20,000	\$ 47	20,000	\$ 47	9	9	9	16	14	57

2024 - Unorganized Township Fire Contract Proposals

Fire Department	Parcel Information			Current Levy Spread		Levy Spread Evenly		Fire / EMS Call Information					
	Total # of Parcels in Coverage Area	Total # of Improved Parcels in Coverage Area	% of Improved Parcels in Coverage Area	Proposed 2024 Levy Amount	Average Share Per Improved Parcel (Proposed Levy Amount)	Proposed 2024 Levy Amount - Spread Evenly	Average Share Per Improved Parcel (Proposed Levy Amount)	Number of Fire / EMS calls 2018	Number of Fire / EMS calls 2019	Number of Fire / EMS calls 2020	Number of Fire / EMS calls 2021	Number of Fire / EMS calls 2022	Total Number of Fire / EMS calls 2018- 2022

City of Cook

Unorg 60-19	461	293	64%	28,618	\$ 98	37,706	\$ 129	9	5	0	1	0	15
Unorg 60-20	281	60	21%	16,809	\$ 280	7,721	\$ 129	8	3	5	0	3	19
Total	742	353	48%	45,427	\$ 129	45,427	\$ 129	17	8	5	1	3	34

Ellsburg

Unorg 55-15 (part of) Sections 22-28, 31-36	252	142	56%	6,000	\$ 42	6,000	\$ 42	2	1	0	1	8	12
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Embarrass

Unorg 61-14	294	55	19%	6,645	\$ 121	6,645	\$ 121	1	0	0	0	0	1
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City of Floodwood

Unorg 52-21	295	57	19%	14,036	\$ 246	14,036	\$ 246	4	5	1	3	3	16
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French

Unorg 59-21 (part of) 13041 Memory Lane through 13083 Memory Lane	43	27	63%	1,339	\$ 50	1,339	\$ 50	2	1	2	1	1	7
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Gnesen

Unorg 53-15	400	286	72%	18,812	\$ 66	18,812	\$ 66	11	6	2	10	7	36
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Greenwood

Unorg 63-15	324	94	29%	11,000	\$ 117	11,000	\$ 117	3	4	1	0	2	10
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Lake Kabetogama

Unorg 67-20	254	23	9%	3,067	\$ 133	3,067	\$ 133	1	2	2	8	6	19
Unorg 67-21	244	26	11%	3,467	\$ 133	3,467	\$ 133	1	2	1	2	0	6
Unorg 68-19	475	132	28%	17,601	\$ 133	17,600	\$ 133	9	10	7	7	6	39
Unorg 68-20	255	46	18%	6,133	\$ 133	6,133	\$ 133	2	5	1	2	1	11
Unorg 68-21	311	38	12%	5,067	\$ 133	5,067	\$ 133	8	3	2	8	4	25
Unorg 69-19	85	35	41%	4,667	\$ 133	4,667	\$ 133	0	0	0	0	0	0
Total	1,624	300	18%	40,000	\$ 133	40,000	\$ 133	21	22	13	27	17	100

Lakeland

Unorg 57-16	909	501	55%	86,000	\$ 172	86,000	\$ 172	27	47	36	51	38	199
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Makinen

Unorg 56-16	743	301	41%	44,000	\$ 146	44,000	\$ 146	21	19	1	22	25	88
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2024 - Unorganized Township Fire Contract Proposals

Fire Department	Parcel Information			Current Levy Spread		Levy Spread Evenly		Fire / EMS Call Information					
	Total # of Parcels in Coverage Area	Total # of Improved Parcels in Coverage Area	% of Improved Parcels in Coverage Area	Proposed 2024 Levy Amount	Average Share Per Improved Parcel (Proposed Levy Amount)	Proposed 2024 Levy Amount - Spread Evenly	Average Share Per Improved Parcel (Proposed Levy Amount)	Number of Fire / EMS calls 2018	Number of Fire / EMS calls 2019	Number of Fire / EMS calls 2020	Number of Fire / EMS calls 2021	Number of Fire / EMS calls 2022	Total Number of Fire / EMS calls 2018- 2022
Fire Departments with proposed increases compared to 2023													
Morse-Fall Lake													
Unorg 63-14	160	24	15%	3,482	\$ 145	3,482	\$ 145	0	0	0	0	0	0
Unorg 64-12	250	74	30%	10,736	\$ 145	10,736	\$ 145	4	2	0	14	3	23
Unorg 64-13	220	54	25%	7,834	\$ 145	7,834	\$ 145	4	5	0	5	2	16
Unorg 65-13	143	39	27%	5,658	\$ 145	5,658	\$ 145	3	2	0	2	2	9
Unorg 65-14	154	34	22%	4,933	\$ 145	4,933	\$ 145	1	0	0	4	0	5
Total	927	225	24%	32,643	\$ 145	32,643	\$ 145	12	9	0	25	7	53
Northland													
Unorg 53-16	345	220	64%	18,000	\$ 82	18,000	\$ 82	5	3	0	2	2	12
City of Orr													
Unorg 63-19	244	42	17%	2,836	\$ 68	2,253	\$ 54	2	1	1	2	5	11
Unorg 63-21 Sections 1-24	238	65	27%	522	\$ 8	3,487	\$ 54	0	1	1	1	3	6
Unorg 64-21 Section 21 (NE 1/4 of NE1/4)	1	1	100%	522	\$ 522	54	\$ 54	0	0	0	0	0	0
Unorg 64-21 Sections 22-27	17	0	0%	522	0	0	0	0	0	0	0	0	0
Unorg 64-21 Section 28 (SW 1/4 of SW 1/4)	1	1	100%	522	\$ 522	54	\$ 54	0	0	0	0	0	0
Unorg 64-21 Section 29 (SE 1/4 of SE 1/4 & SW 1/4 of SW 1/4)	2	2	100%	522	\$ 261	107	\$ 54	0	0	0	0	0	0
Unorg 64-21, Sections 30-36	58	24	41%	522	\$ 22	1,287	\$ 54	1	0	0	0	0	1
Unorg 66-20	322	104	32%	6,853	\$ 66	5,579	\$ 54	2	2	1	1	3	9
Total	883	239	27%	12,821	\$ 54	12,821	\$ 54	5	4	3	4	11	27
Palo													
Unorg 56-14	414	152	37%	33,097	\$ 218	33,164	\$ 218	0	7	1	2	5	15
Unorg 57-14	142	9	6%	1,742	\$ 194	1,964	\$ 218	0	0	0	0	0	0
Unorg 58-14 (part of) Sections 25-36	41	4	10%	1,161	\$ 290	873	\$ 218	2	0	0	0	0	2
Total	597	165	28%	36,000	\$ 218	36,000	\$ 218	2	7	1	2	5	17
Pequaywan													
Unorg 54-13	191	87	46%	8,000	\$ 92	8,000	\$ 92	8	6	0	4	7	25
Pike-Sandy-Britt													
Unorg 59-16	183	58	32%	5,333	\$ 92	5,333	\$ 92	10	1	0	11	4	26
Unorg 60-18	976	583	60%	53,610	\$ 92	53,610	\$ 92	38	51	4	47	68	208
Total	1,159	641	55%	58,943	\$ 92	58,943	\$ 92	48	52	4	58	72	234
Silica													
Unorg 55-21	486	220	45%	60,000	\$ 273	60,000	\$ 273	11	10	0	17	7	45
Totals	16,124	6,080	38%	698,231	\$ 115	698,231	\$ 115	286	264	134	313	298	1,341

2024 Unorganized Fire Levy - Proposed Changes

Fire Department	2023 Levy Amount	2024 Proposed Levy	Levy Impact	Proposed Levy Increase / Decrease Percentage	Notes
Colvin	19,950	21,000	1,050	5.26%	Increased training costs related to new firefighter training and purchases of PPE equipment. Purchase two replacement 1 1/2" floating pumps; current pumps are so old that they do not start reliably. Increased fuel and operating costs. The need to purchase new wildland gear - both clothing and equipment - to be ready for the inevitable fire issues. Even with the increase to our county contract in 2023, the department actually had a year of deficit spending which depleted reserves. An additional expenditure this year is to bring their hall into OSHA compliance, which includes electrical work to install lit exit signs with emergency lighting and a potential upgrade to their well pump.
City of Chisholm	17,943	18,285	342	1.91%	Increase in fuel, equipment, and gear costs.
City of Cook	15,750	20,000	4,250	26.98%	Increase in operating costs.
Ellsburg	5,078	6,000	922	18.16%	Increase in operating costs, and number of calls to covered area.
Embarass	6,774	6,645	(129)	-1.90%	Fuel and operating costs.
Floodwood	16,530	14,036	(2,494)	-15.09%	Decrease base on the Kopp formula.
Greenwood	10,500	11,000	500	4.76%	Increased fuel and operating costs.
Lake Kabetogama	36,750	40,000	3,250	8.84%	Department has grown in size from 10 to 16 members. They also learned that they must use FAA approved non-corrosive deicer for heliport which costs \$4900. Inflation has increased costs of fuel, propane, and maintenance costs for vehicle safety inspections and pump testing.
Lakeland	80,850	86,000	5,150	6.37%	Rising costs of equipment, fuel, and operating expenses (increased by more than 10% over the last 18 to 24 months). Increased membership has resulted in increased training costs. EMS vehicle will be scheduled for replacement in the next 3 to 5 years.
Morse-Fall Lake	33,278	32,643	(635)	-1.91%	Fuel and operating costs.
Pequaywan	6,720	8,000	1,280	19.05%	Equip (turnout gear, radios) for 3 new members. Purchase of tanker and overhead garage door.

2024 Unorganized Fire Levy - Proposed Changes

Fire Department	2023 Levy Amount	2024 Proposed Levy	Levy Impact	Proposed Levy Increase / Decrease Percentage	Notes
Pike Sandy Britt	58,944	58,943	(1)	0.00%	Increased cost of insurance, the increased cost of fire equipment and the increased cost of PPE.
Silica	47,250	60,000	12,750	26.98%	Last increase was in 2010. The Fire Department will incur some major costs for building and grounds upkeep, vehicle maintenance and acquisitions, and training supplies. Upgrade heating and plumbing, upgrade restroom to make handicap accessible. Replace cement pad in front of door 1 and 2. Cement has disintegrating at door 1 and starting to on door 2. Add handicap ramp. Purchase a First Responder Vehicle (currently using a Brush Truck that cannot access ATV trails, logging roads or hunting areas). Purchase training equipment - we have onsite training but no equipment to help maintain EMR certification and competencies with patient care.

Summary

2023 Levy Amount	687,779
2024 Levy Amount	698,231
2024 Levy Impact	10,452
Percentage (change)	1.52%



St. Louis County Board of Commissioners Request for Board Action 23 – 334

Committee: **Finance & Budget**

Date: August 8, 2023

From: David Fink, Environmental Services Director

Attachments: yes no

Reviewed by: Kevin Z. Gray, County Administrator

Consent: yes no

ITEM: Purchase of Biosolids Disposal Site Authority Land for Leachate Treatment System Upgrade and Future Landfill Expansion, American Rescue Plan Act

Background/Overview:

The St. Louis County Regional Landfill (Landfill) opened in November 1993 and is the only “MSW” landfill in northeastern Minnesota. This landfill has primarily provided MSW disposal capacity for St. Louis County’s Solid Waste Management Area (SWMA). The SWMA includes all of St. Louis County outside the Western Lake Superior Sanitary District (WLSSD) boundary. Landfill capacity for our SWMA is projected to last another twenty-three years, based on current fill rates. Expansion options are being evaluated that could extend the capacity of the Landfill for an additional fifty plus years as well as addressing contaminants and other concerns.

A major component of the Minnesota Pollution Control Agency (MPCA) issued landfill permit is the leachate treatment system. Leachate from the Landfill, approximately 5.5 million gallons annually, is currently collected, pumped, and stored in two lined ponds where it is settled, aerated, de-nitrified and land applied on a 60-acre spray field. The permit also requires extensive groundwater, soil, and cover crop testing to ensure the leachate system performs as intended, allowing the continuation of land application of leachate as the County’s preferred treatment option versus transport to a wastewater treatment facility.

In recent years, the MPCA and the Environmental Protection Agency have added Per and Polyfluoroalkyl Substances (PFAS) as one of its emerging contaminants of concern resulting in landfill leachate coming under increased scrutiny and management requirements. To ensure continued onsite application of treated leachate, the County Board, on November 16, 2021, adopted Resolution No. 21-642, for the design and construction of an upgraded leachate treatment system utilizing American Rescue Plan Act (ARPA) funds.

The need to secure additional land for construction of system upgrade components, while maintaining near equivalent acreage, is critical to the upgrade project. The most viable expansion area is 101.2 acres owned by the Biosolids Disposal Site Authority (BDSA) Land, a joint powers entity comprised of Virginia, Mountain Iron, Gilbert and Eveleth. The property is located directly north of, and contiguous to, the current Landfill spray field.

With Board approval, the Environmental Services Department (Department), has proposed to acquire the BDSA land for a value that is equivalent to the bid price of a portable biosolids press that will be purchased by the BDSA, serve all four communities that comprise the BDSA. Utilization of this press will eliminate any future need for land application of biosolids, thus making the entire 101.2 acres available for the construction of the upgraded leachate treatment facility.

The BDSA recently received the official bid proposal for a portable press which included delivery and training for a total price of \$851,281.25. Resolution No. 21-642 accounted for this estimated purchase price within the total allocation outlined to support clean water and authorize the pre-design, design, land acquisition and construction of a new and upgraded leachate treatment system.

This land will provide the Landfill, the SWMA, and the region with long-term environmental benefits by providing continued leachate land application, continued affordable and convenient waste disposal, future landfill options and revenue, and enable future landfill footprint expansion. The expansion is projected to significantly extend the life of its Landfill.

The Department views this transaction as critical to the continued protection of the environment and the success of its Landfill program going forward.

Policy Objectives:

Minn. Stat. § 115A, Minnesota Rule 7035.2815 and the MPCA Solid Waste Facility Permit (SW-405) require that any Municipal Solid Waste facility owner design, construct and manage a leachate system that prevents the release of leachate contamination to the environment.

Fiscal/Budget Impacts/Funding Source/FTE Considerations:

The total cost of the acquisition of 101.2 acres of BDSA Land which includes the transfer of funds that total \$851,281.25 to the BDSA for the purchase of a portable biosolids press is allocated from ARPA funds. This does not create an undue burden on Environmental Services budgets.

Recommendation:

It is recommended that the St. Louis County Board approve and authorize the appropriate County officials to execute the necessary documents to complete the proposed land trade which includes the acquisition and ownership of the 101.2 acres of BDSA Land located directly north of, and contiguous to, the current Regional Landfill leachate spray field.

Purchase of Biosolids Disposal Site Authority Land for Leachate Treatment System Upgrade and Future Landfill Expansion, American Rescue Plan Act

BY COMMISSIONER _____

WHEREAS, The St. Louis County Regional Landfill (Landfill) is the only municipal solid waste (MSW) landfill in northeastern Minnesota, providing MSW disposal to the County's Solid Waste Management Area (SWMA); and

WHEREAS, Landfill capacity is projected to last another twenty-three years, based on current fill rates; and

WHEREAS, Leachate from the Landfill, approximately 5.5 million gallons annually, is currently collected, pumped and stored in two lined ponds where it is settled, aerated, denitrified and land applied on a 60-acre spray field; and

WHEREAS, The Minnesota Pollution Control Agency (MPCA) issued a Landfill permit that requires extensive groundwater monitoring to ensure the leachate treatment system performs as intended, allowing the continuation of land application of leachate as the County's preferred leachate treatment option versus transport to a wastewater facility; and

WHEREAS, The MPCA and the Environmental Protection Agency has added Per and Polyfluoroalkyl Substances (PFAS) as one of the emerging water contaminants of concern resulting in landfill leachate coming under increased scrutiny and management requirements; and

WHEREAS, To ensure continued onsite application of treated leachate, on November 16, 2021, the County Board adopted Resolution No. 21-642, for the design and construction of an upgraded leachate treatment system utilizing American Rescue Plan Act (ARPA) Funds; and

WHEREAS, The need to secure additional land for construction of system upgrade components, while maintain spray field acreage, is critical to the upgrade project; and

WHEREAS, The most viable expansion area is 101.2 acres of property owned by the Biosolids Disposal Site Authority (BDSA Land), a joint powers entity comprised of Virginia, Mt. Iron, Gilbert and Eveleth; and

WHEREAS, The property is located directly north of, and contiguous to, the current Landfill spray field; and

WHEREAS, The Environmental Services Department (Department) proposed to the BDSA a land trade that involved the purchase price a portable press that will serve all four communities; and

WHEREAS, The BDSA received and official bid proposal that included training and delivery for a total price of \$851,281.25; and

WHEREAS, The Biosolid Disposal Site Authority (BDSA) accepted the Department's land trade proposal and agreed to convey to the County marketable title to the BDSA Land at the time of closing; and

WHEREAS, ARPA funds will be transferred to the BDSA for the purchase of a portable biosolids press; and

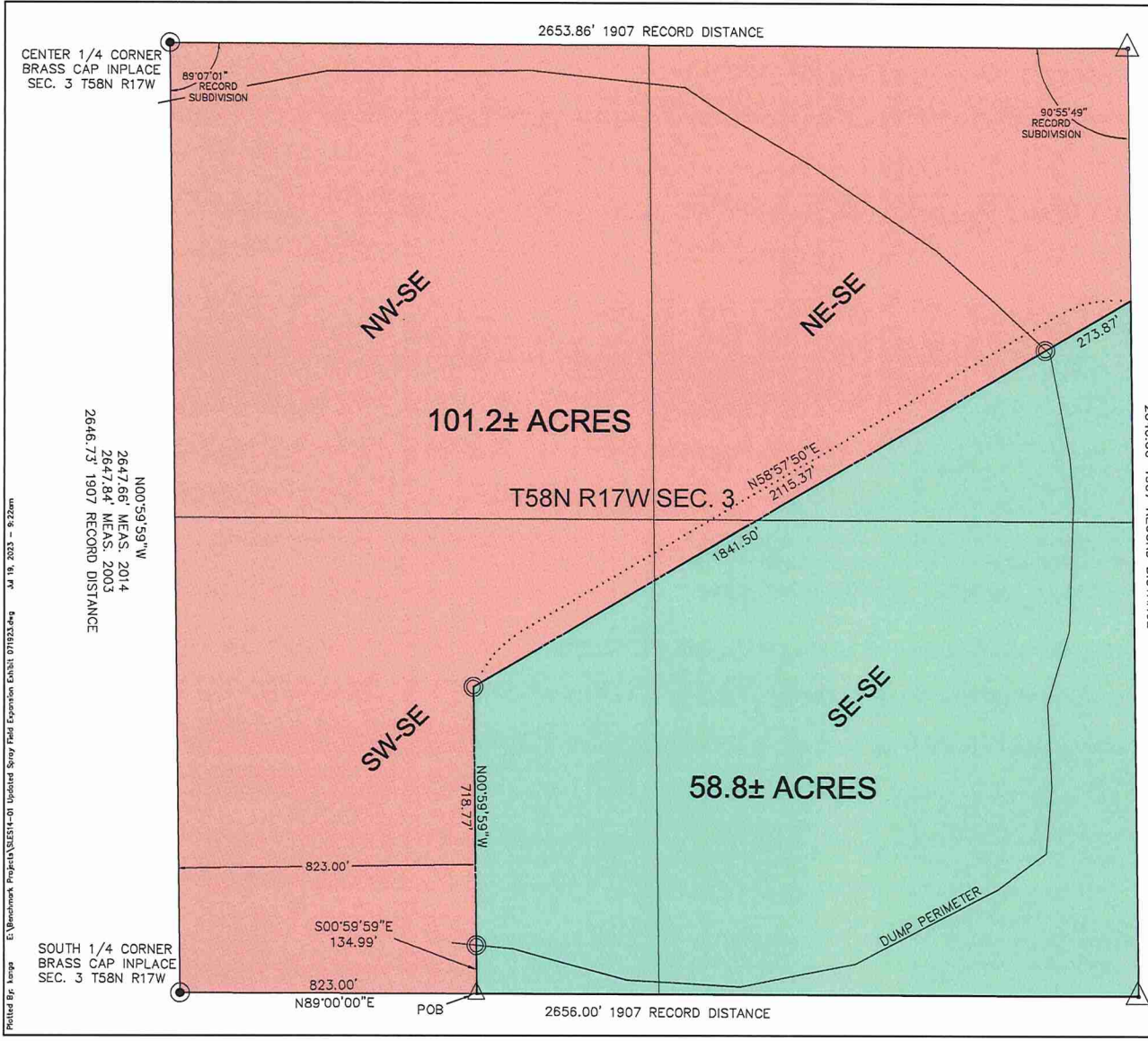
WHEREAS, This will provide the Landfill, the SWMA, and the environment long-term value by providing continued leachate land application, continued affordable and convenient waste disposal, future landfill revenue, and future landfill footprint expansion; and

WHEREAS, The expansion is projected to extend the capacity of the Landfill for an additional fifty plus years; and

WHEREAS, The Department views this transaction as critical to the continued protection of the environment and the success of its Landfill program going forward; and

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the appropriate County Officials to enter into an agreement with the BDSA for the acquisition of 101.2 acres of BDSA Land located directly north of, and contiguous to, the current Regional Landfill leachate spray field for the official bid proposal price of \$851,281.25, funded by American Rescue Plan Act funds.

RESOLVED FURTHER, The Biosolids Disposal Site Authority shall comply and submit all necessary information, documentation and reporting materials required by the County, State or US Treasury to ensure that the project meets any and all conditions as required under the American Rescue Plan Act.



LEGEND

- BDSA - PURCHASED BY ST. LOUIS COUNTY
- ST. LOUIS COUNTY OWNED
- DENOTES FOUND MONUMENT
- DENOTES MONUMENT SET CAPPED RLS#19792 RLF
- DENOTES CALCULATED POSITION

BENCHMARK ENGINEERING, INC.

8878 Main Street
P.O. Box 261
Mountain Iron, MN 55768
Phone: 218-735-8914
Fax: 218-735-8923
E-Mail: info@bm-eng.com
Website: www.bm-eng.com

- CIVIL ENGINEERING
- ENVIRONMENTAL ENGINEERING
- LAND SURVEYING
- PLANNING
- MINING
- LAND DATA BASE MAPPING

N
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0 100 200
(SCALE IN FEET)

PROJECT NO: SLES14-01
DATE: 4-7-14
DRAWN BY: CLM
CHECKED BY: RLF

DATE	REVISIONS	DESCRIPTION

ST. LOUIS COUNTY ENVIRONMENTAL SERVICES

ST. LOUIS COUNTY, MINNESOTA

SPRAY FIELD EXPANSION

SHEET NO.
1 OF 1

Plotted By: Jurg E:\Benchmark\Project\SLES14-01\Updated Spray Field Expansion Exhibit 0191923.dwg
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TREATMENT BUILDING





St. Louis County Board of Commissioners Request for Board Action 23 – 335

Committee: **Finance & Budget**

Date: August 8, 2023

From: David Fink, Environmental Services Director

Attachments: yes no

Reviewed by: Kevin Z. Gray, County Administrator

Consent: yes no

ITEM: Development of 30% Design Documents for Major Permit Modification to the St. Louis County Regional Landfill, American Rescue Plan Act

Background/Overview:

The St. Louis County Regional Landfill (Landfill) opened in November 1993 and is the only “MSW” landfill in northeastern Minnesota. This landfill has primarily provided MSW disposal capacity for St. Louis County’s Solid Waste Management Area (SWMA). The SWMA includes all of St. Louis County outside the Western Lake Superior Sanitary District (WLSSD) boundary. Landfill capacity for our SWMA is projected to last another twenty-three years, based on current fill rates. Expansion options are being evaluated that could extend the capacity of the Landfill for an additional fifty plus years as well as addressing contaminants and other concerns.

A major component of the Minnesota Pollution Control Agency (MPCA) issued landfill permit is the leachate treatment system. On August 2, 2022, the County Board adopted Resolution No. 22-427 that approved \$468,322 for Northeast Technical Services (NTS) to provide environmental engineering, which included operation of the permitted Demonstration Research Project (DRP), hydrogeologic evaluation, and landfill permit major modification application preparation.

Extensive changes to the DRP in 2023 required a major redesign and increased testing to evaluate the new system components. Additional funds were expended to achieve the goal of refining the system before submitting the 30% required design documents to the MPCA.

The Department requested and received a detailed proposal from NTS to complete the modified DRP and submit the new design documents for the major modification permit application request.

The Department has evaluated the proposal and agreed that the additional work outlined is needed to complete the permit application in the amount of \$162,340.

Policy Objectives:

Minn. Stat. § 115A, Minnesota Rule 7035.2815 and the MPCA Solid Waste Facility Permit (SW-405) require that any Municipal Solid Waste facility owner design, construct and manage a leachate system that prevents the release of leachate contamination to the environment.

Fiscal/Budget Impacts/Funding Source/FTE Considerations:

The cost of service to complete and submit 30% design documents to the MPCA for permit modification requirements is estimated to be \$162,340 and will be allocated from ARPA funds. This does not create an undue burden on Environmental Services budgets.

Recommendation:

It is recommended that the St. Louis County Board approve and authorize the appropriate County officials to amend Contract 5832 to provide environmental engineering that satisfies all MPCA major modification permit requirements for an additional \$162,340, bringing the new contract value to an amount of \$630,622.

**Development of 30% Design Documents for Major Permit Modification to the St. Louis
County Regional Landfill, American Rescue Plan Act**

BY COMMISSIONER _____

WHEREAS, Upgrades to the existing St. Louis County Regional Landfill (Landfill) leachate treatment system are required to meet new regulated parametric loading and groundwater standards; and

WHEREAS, The St. Louis County Regional Landfill “Landfill” is the only municipal solid waste (MSW) landfill in northeastern Minnesota, providing MSW disposal to the County’s Solid Waste Management Area (SWMA); and

WHEREAS, Landfill capacity is projected to last another twenty-three years, based on current fill rates, and potentially an additional fifty based on Landfill expansion options currently being evaluated; and

WHEREAS, Leachate from the Landfill, approximately 5.5 million gallons annually, is currently collected, pumped, and stored in two lined ponds where it is settled, aerated, denitrified and land applied on a 60-acre spray field; and

WHEREAS, The Minnesota Pollution Control Agency (MPCA) issued a Landfill permit that requires extensive groundwater monitoring to ensure the leachate treatment system performs as intended, allowing the continuation of land application of leachate as the County’s preferred leachate treatment option versus transport to a wastewater facility; and

WHEREAS, The MPCA and the Environmental Protection Agency has added Per – and polyfluoroalkyl substances (PFAS) as one of the emerging water contaminants of concern resulting in landfill leachate coming under increased scrutiny and management requirements; and

WHEREAS, To ensure continued onsite application of treated leachate, on November 16, 2021, the County Board adopted Resolution No. 21-642, for the design and construction of an upgraded leachate treatment system utilizing American Rescue Plan Act (ARPA) Funds; and

WHEREAS, On August 2, 2022, the County Board adopted Resolution No. 22-427 approving \$468,322 for Northeast Technical Services (NTS) to provide environmental engineering, which included operation of the permitted Demonstration Research Project (DRP), hydrogeologic evaluation, and landfill permit major modification application preparation; and

WHEREAS, Extensive changes to the DRP in 2023 required a major redesign and increased testing to evaluate the new system components; and

WHEREAS, The Department requested and received a detailed proposal from NTS to complete the modified DRP and submit the new design documents for the major modification permit application request; and

WHEREAS, The Department has evaluated the proposal and agreed that the additional work outlined is needed to complete the permit application for \$162,340.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorize the appropriate County officials to amend Contract 5832 to provide environmental engineering that satisfies all MPCA major modification permit requirements for an additional \$162,340, bringing the new contract value to an amount of \$630,622 funded by 2021-2024 American Rescue Plan Act funds payable from Fund 239, Agency 239200.

RESOLVED FURTHER, Northeast Technical Services, Inc. shall comply and submit all necessary information, documentation and reporting materials required by the County, State or US Treasury to ensure that the project meets any and all conditions as required under the American Rescue Plan Act.



St. Louis County Board of Commissioners Request for Board Action 23 - 336

Committee: **Finance & Budget**

Date: August 8, 2023

From: Nancy J. Nilsen, County Auditor/Treasurer

Attachments: yes no

Reviewed by: Kevin Z. Gray, County Administrator

Consent: yes no

ITEM: 2023 Second Quarter Budget Changes

Background/Overview:

Each year, the County Board, as part of its approval and adoption of the annual budget, includes language which allows for transfers and appropriations within funds for the current budget year. The budget changes and transfers are done quarterly, four times each year. The attached resolution reflects changes to the budget for the second quarter of the 2023 fiscal budget year.

The proposed changes generally include the following: grant budget changes, use of existing fund balances, transfers between departments, revenue and expense budget changes, and contribution to fund balances.

Policy Objectives:

The 2023 Budget Resolution No. 22-651, dated December 13, 2022, requires that increases to the original governmental funds revenue and expenditure budgets cannot be made without County Board approval.

Fiscal/Budget Impacts/Funding Source/FTE Considerations:

- Total Grant Budget Changes - \$0
- Total Use of Existing Fund Balance - \$291,269
- Budget transfers - \$1,560,524
- Total Revenue and Expense Budget Change - \$710,777
- Total Contribution to Fund Balance - \$0

Recommendation:

It is recommended that the St. Louis County Board approve the 2023 second quarter budget changes.

2023 Second Quarter Budget Changes

BY COMMISSIONER _____

WHEREAS, All increases in original governmental funds revenue and expenditure budgets and budgeted changes in fund balance require County Board approval; and

WHEREAS, Departments anticipate being notified of additional revenues and throughout the year and need approval to increase revenue and expenditure budgets; and

THEREFORE, BE IT RESOLVED, That the St. Louis County Board of Commissioners authorizes the following budget changes:

USE OF AN EXISTING FUND BALANCE

1. Use of fund balance assigned for Camp Esquagama in the general fund from the 2022 Land & Minerals Department Proceeds Apportionment (Resolution 23-154) for renovations and improvements at Camp Esquagama (\$103,777.97).
2. Use of Property Management parking fund balance for a new plow truck for downtown Duluth parking areas (\$54,864.00).
3. Use of Property Management parking fund balance for a Bobcat to support downtown Duluth snow removal operations (\$78,516.02).
4. Use of fund balance in the Personal Service Fund to cover higher than budgeted Children in Need of Protection Services court expenses (\$7,500.00).
5. Use of Sheriff state forfeiture fund balance to purchase a Lake Superior Violent Offender Task Force vehicle (\$28,411.00).
6. Use of Extension fund balance for expenses related to a second Youth in Action Conference in 2023, as the conference moves from spring to fall (\$18,200.00).

BUDGET TRANSFER

7. Transfer anticipated powerline tax revenue from the general fund to the Public Works building fund for the three building construction projects (\$1,039,124.93).
8. Increase budget for mineral rents and royalties revenue, and transfer to Land & Minerals to cover mine fencing repairs (\$1,398.92).
9. Transfer fund balance from Workers Compensation to the Property, Casualty, Liability Insurance Fund to align risk mitigation funding with future needs (\$520,000.00).

REVENUE AND EXPENSE BUDGET INCREASE

10. Increase the Home grant revenue and expense budget to include actual program income collected under the Department of Housing and Urban Development Home grant programs (\$104,968.56).
11. Increase the Public Health & Human Services revenue and expense budget to include an increase in the Community Health Board infrastructure allocation (\$20,000.00).
12. Decrease the Public Health & Human Services revenue and expense budget to reflect the new allocation from the Department of Revenue for Local Homeless Prevention Aid (\$78,268.00).

13. Increase the Pandemic Fund revenue and expense budget to include actual investment earnings (\$337,391.16).
14. Increase the Public Works revenue and expense budget to include anticipated initial insurance proceeds for the Jean Duluth roof collapse repair (\$250,000.00).
15. Increase the Public Works revenue and expense budget to include charges to other entities for work done at the Cook garage (\$20,000.00).
16. Increase the revenue and expense budget in the 2021A capital improvement bond to include actual year-to-date investment earnings (\$56,685.41).

	Fund	Agency	Object	Grant	Year	Expense Budget	Transfer Out	Accumulation of Fund Balance	Revenue Budget	Transfers In	Use of Fund Balance
USE OF AN EXISTING FUND BALANCE											
1	100	999999	311424								(103,777.97)
	100	102006	690300			103,777.97					
2	100	999999	311105								(54,864.00)
	100	128010	666200			54,864.00					
3	100	999999	311105								(78,516.02)
	100	128010	666900			78,516.02					
4	149	149001	629900			7,500.00					(7,500.00)
	149	999999	311200								
5	168	999999	311031								(28,411.00)
	168	168001	666200			28,411.00					
6	184	186005	641100			4,500.00					
	184	186005	641301			5,500.00					
	184	186005	634200			1,200.00					
	184	186005	629900			7,000.00					
	184	999999	311200								(18,200.00)
BUDGET TRANSFER											
7	100	100001	501200						(1,039,124.93)		
	100	100001	697600				1,039,124.93				
	405	405190	590100							(1,039,124.93)	
	405	405190	660266			1,039,124.93					
8	100	100001	521401						(1,398.92)		
	100	100001	697600				1,398.92				
	240	241001	590100							(1,398.92)	
	240	241001	642900			1,398.92					
9	730	730001	697600				520,000.00				(520,000.00)
	730	999999	311200								
	720	720001	636200			520,000.00					
	720	720001	590100							(520,000.00)	
REVENUE AND EXPENSE BUDGET CHANGE											
10	270	271004	540307						(104,968.56)		
	270	271004	629900			104,968.56					
11	230	233999	530508	23383	2022				(20,000.00)		
	230	233999	629900	23383	2022	20,000.00					
12	230	232001	521527						78,268.00		
	230	232001	629900			(78,268.00)					
13	239	239097	571000						(337,391.16)		
	239	239097	637900			337,391.16					
14	405	405194	630900			250,000.00					(250,000.00)
	405	405194	552600								(20,000.00)
15	407	407001	550904								(20,000.00)
	407	407001	666300			20,000.00					
16	450	450001	571000						(56,685.41)		
	450	450001	661100			56,685.41					



St. Louis County Board of Commissioners Request for Board Action 23 - 337

Committee: **Finance & Budget**

Date: August 8, 2023

From: Linnea Mirsch, PHHS Director, for
Brian Fritsinger, Deputy Administrator

Attachments: yes no

Reviewed by: Kevin Z. Gray, County Administrator

Consent: yes no

ITEM: CHUM Shelter-Next Services for Youth Project at Peace Church, American Rescue Plan Act Revenue Loss Funding

Background/Overview:

Churches United in Ministry (CHUM), as project coordinator for the Stepping On Up project, has made an application seeking \$125,000 in American Rescue Plan Act (ARPA) funding as local match funds for a Shelter-Next Services for Youth collaborative project, to be developed at Peace Church. This project will provide housing and services for up to 15 youth (ages 18 to 24), who at any given time have previously experienced homelessness. Each resident will be housed in a small, private room and the site has shared spaces for cooking, gathering, and meetings. Services will be embedded at the site, with the intention of addressing some of the causes that contribute to homelessness, such as mental health, substance use, and trauma.

This project addresses the ongoing impact of the pandemic through the creation of 15 additional spaces in shelter-next units for young people experiencing homelessness. Additionally, through on-site service provision, it will help address some of the underlying contributors to homelessness, which will ideally help the youth who reside at the site move out of homelessness for the long term.

This project will be located in the East Hillside neighborhood of Duluth in an underutilized wing of Peace United Church of Christ. The proposed project provides expanded services to underserved, at-risk, and unserved individuals. The target population is, by definition, extremely low- to no-income. The vast majority of the people we will serve struggle to access the services and resources provided as a result of a shortage of income, access, and adequate housing availability. This includes access to both basic necessities as well as services to address physical and emotional needs that contribute to homelessness.

Last year, 97 youth between the ages of 18 and 24 stayed at the Chum shelter, and more than 40 stayed at the Winter Warming Center. There is a clear significant need for additional housing and specialized services for this age group. Further, the overall population of people experiencing homelessness in Duluth are frequently people who have been marginalized by systemic inequalities. This includes a significant overrepresentation of people of color; at the Chum congregate shelters, African-Americans are six times as likely and Indigenous people are eleven times as likely to stay at the shelter in comparison with the overall population in the Duluth community. There is also a significant presence of people with mental illness (60% self-reported living with mental illness), substance and/or alcohol use disorder (41%), and physical disability (31%). Though these numbers will not be identical at the new site, it is likely that the people who

will live there will be similarly impacted by racial disparities and the impacts of generational trauma, poverty, and limited access to resources.

Stepping On Up came together as a collaborative effort to address the growing crisis of homelessness in the Duluth-area in 2021. It has been a multifaceted effort, requiring buy-in and participation from all sectors to address and advance. The City of Duluth and St. Louis County elected officials and staff have been present throughout the planning process.

The County Board adopted Resolution No. 22-532, approving its revised framework associated with the use of American Rescue Plan Act (ARPA) monies, including \$6,000,000 for housing within the \$15,245,000 identified for COVID Recovery. Additional Revenue Loss funds have been allocated to eligible projects to enhance the \$12.5 million originally allocated to COVID Recovery. This project is proposed to be funded through Fund 239, American Rescue Plan Act Revenue Loss funds.

Policy Objectives:

Under the U.S. Treasury's Final Rule guidance, as it relates to the American Rescue Plan Act (ARPA), the costs associated with the proposed project may be considered an eligible use. However, consistent with recent County Board actions it is proposed that the County use Revenue Loss funds for the project.

Fiscal/Budget Impacts/Funding Source/FTE Considerations:

The proposed \$125,000 would be funded from the Revenue Loss category of the County's ARPA funding framework. The total project cost is estimated at \$1,000,000 to \$1,250,000.

CHUM and Stepping on Up are working with partners in the Building Trades to maximize the use of pro bono and apprentice labor to support the project.

CHUM as fiscal agent will seek funding from the State of Minnesota through the One MN Funding Program, Emergency Shelter Facilities funded for State Fiscal Year 2024-2025. Solicitation for these funds are expected to open shortly with funds available in late 2023. Northern MN is a target area for the funds set aside for greater MN, with CHUM the largest shelter provider outside of the metro area. St. Louis County ARPA funds committed towards this project will improve competitiveness of the upcoming application due in September 2023.

Recommendation:

It is recommended that the County Board consider approving the use of \$125,000 of American Rescue Plan Act Revenue Loss funding for the CHUM Youth Shelter-Next Project, located at Peace Church, from Fund 239, American Rescue Plan Act Revenue Loss. County funds will serve as the local match in the application to Emergency Shelter Facility application this fall.

Administration requests that this resolution be moved without recommendation to the regular County Board agenda for its meeting on September 5, 2023 to meet the state grant timelines while affording CHUM time to finalize estimates.

**CHUM Shelter-Next Services for Youth Project at Peace Church,
American Rescue Plan Act Revenue Loss Funding**

BY COMMISSIONER _____

WHEREAS, On March 11, 2021, the President of the United States signed into law the \$1.9 Trillion American Rescue Plan Act (ARPA) to provide continued relief from the impact of COVID-19 pandemic; and

WHEREAS, Approximately \$350 billion of the ARPA funding was allotted to assist state, local tribal, and territory governments in responding to the COVID-19 pandemic; and

WHEREAS, Funds received are required to be used in accordance with the Coronavirus Local Fiscal Recovery Fund (CLFRF) requirements as provided within the guidance issued by the United States Treasury:

- To respond to the public health emergency
- To address its negative economic impacts
- To serve the hardest hit
- To make necessary investments in water, sewer, or broadband infrastructure; and

WHEREAS, St. Louis County has been awarded \$54,536,596 in ARPA funds to be used in accordance with the above requirements; and

WHEREAS, The County Board has allocated \$6,000,000 of ARPA funds to be used for housing projects within the \$15,245,000 COVID Recovery category, which includes additional Revenue Loss dollars for current project commitments; and

WHEREAS, CHUM, as fiscal agent and Stepping on Up Project Coordinator has submitted an application for the Shelter-Next Services for Youth Project at Peace Church.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the use of \$125,000 of American Rescue Plan Act Revenue Loss funding for the CHUM Shelter-Next Youth Services project at Peace Church, which will serve as the local match for the \$1,250,000 estimated project seeking funding from the State's new Emergency Shelter funding this fall.

RESOLVED FURTHER, That CHUM, as fiscal agent shall comply and submit all necessary information, documentation and reporting materials required by the County to ensure that the project meets any and all conditions as required under the program.

RESOLVED FURTHER, That the appropriate County officials are authorized to enter into an agreement with CHUM for this project with funds for the above project payable from Fund 239, American Rescue Plan Act Revenue Loss.



St. Louis County Board of Commissioners Request for Board Action 23 - 338

Committee: **Finance & Budget**

Date: August 8, 2023

From: Linnea Mirsch, PHHS Director, *for*
Brian Fritsinger, Deputy Administrator

Attachments: yes no

Reviewed by: Kevin Z. Gray, County Administrator

Consent: yes no

ITEM: Urgent Care Behavioral Health Center (Clarity), American Rescue Plan Act Revenue Loss Funding

Background/Overview:

The Clarity Center for Wellbeing, now the Urgent Care Behavioral Health Center (Clarity), has had a long and complicated development track. Community advisory councils, planning groups, and community partners providing behavioral health and civil services have all acknowledged that managing and responding to crisis appropriately is a critical need within our region and that the enhanced resources and supports of an initiative like this will lead to enhanced well-being and peace of mind for our citizens. The proposed 810 E 4th Street Duluth hub location in the Human Development Center's (HDC) existing property is an exciting opportunity to launch this project during the first quarter of 2024.

This project began in 2015 when a coalition of hospitals, community providers, county providers, courts, and corrections formed a working group to increase collaboration across multiple systems. This regional collaborative turned into the "The Clarity Project." In 2017, Region 3 ABHI looked at the crisis care system in Northeast MN, and data showed significant gaps in our region. The working group has continued, along with another community volunteer advisory committee, but the initiative has faced multiple complications and barriers, including accessing State bond funds for non-county-owned buildings. HDC is now offering the use of current infrastructure to make the urgent care behavioral health center a reality for our community.

This funding will support an extensive remodel of an existing HDC facility located at 810 East Fourth Street in Duluth, MN for the development of an innovative and first-of-its-kind Urgent Care Behavioral Health Center. The facility will be a behavioral health care hub providing a streamlined point of entry for urgent mental health and substance use disorder (SUD) care services for individuals experiencing behavioral health crisis. The proposed center is designed to serve as the connecting point for comprehensive care and has been designed in partnership with community members and partners. The intention is to link people struggling with intense behavioral health and/or SUD to interventions that will help alleviate problematic life situations, provide crisis stabilization, and promote comprehensive aftercare services to decrease the likelihood of relapse of presenting problems.

The urgent care mental health care center will initially be physically open from 10A.M -10:00 P.M, Monday through Friday, with a mobile crisis response team providing care after hours and on weekends. Hours may expand to include weekends if there is a demand for need and the ability to staff. This facility will provide an unprecedented resource in our communities related

to behavioral health crisis situations but will also provide a source of resources for all citizens in times of concern or uncertainty.

The urgent care behavioral health center will be staffed by people trained in crisis intervention services who practice nonjudgmental acceptance. Any person entering the easy-access and inviting facility will be met with a welcoming service team who will provide respectful, culturally considerate, and interventions that are appropriate for the issues they present. An urgent care behavioral health center in our region will substantially reduce unnecessary hospitalizations, incarcerations, homelessness, and civil service burdens.

Current service providers within the facility include, but will not be limited to, HDC, Center for Alcohol and Drug Treatment, Lake Superior Community Health Center, MN Children's Dental, and Region Three & City of Duluth's Mobile Crisis Response Teams. Space will continually be available for additional service providers who wish to have a presence or can offer expanded services and for local institutes of higher education who wish to provide the experience of direct practice to contribute to the expansion of much-needed behavioral health professionals within our region, including social workers, addiction counselors, psychiatrist, psychotherapists, and pharmacologists.

The proposed urgent care behavioral health center will provide an easily accessible resource to address immediate crisis-related issues that will help stabilize the individual/and their family and provide necessary resources to facilitate a seamless transition to care. It will provide the right service at the right time, provide follow-up, and meet the needs of all the communities in our region. By co-locating other community agencies together, it will provide a higher level of clinical expertise in one accessible location and will demonstrate improved outcomes for all people in crisis, and help prevent unnecessary hospitalizations, incarcerations, homelessness, and civil service burdens.

DSGW has completed the initial design for the building and developed the estimate of \$2,000,000 for construction costs. Construction will begin by October, to be completed and open by the end of 1st Quarter 2024.

Policy Objectives:

Under the U.S. Treasury's Final Rule guidance, as it relates to the American Rescue Plan Act (ARPA), the costs associated with the renovation may be considered an eligible use under the COVID response and/or revenue loss category. Specifically, it would meet reporting category 1.12: Mental Health Services whereby the guidance indicates that behavioral health facilities and equipment falls within the category.

Fiscal/Budget Impacts/Funding Source/FTE Considerations:

The adopted ARPA framework includes \$2,000,000 for this project (COVID Recovery Category). Legislation is being sought to revert the state bond appropriation to a cash appropriation (the original ask) for retroactive reimbursement of these project costs.

Recommendation:

It is recommended that the County Board consider approving the use of \$2,000,000 of American Rescue Plan Act Revenue Loss funding, previously identified for Clarity in the COVID-Recovery category, for a lump sum payment to the Human Development Center to fund the remodel to launch the Urgent Care Behavioral Health Center (Clarity), from Fund 239, American Rescue Plan Act Revenue Loss.

Urgent Care Behavioral Health Center (Clarity), American Rescue Plan Act Revenue Loss Funding

BY COMMISSIONER _____

WHEREAS, On March 11, 2021, the President of the United States signed into law the \$1.9 Trillion American Rescue Plan Act (ARPA) to provide continued relief from the impact of COVID-19 pandemic; and

WHEREAS, Approximately \$350 billion of the ARPA funding was allotted to assist state, local tribal, and territory governments in responding to the COVID-19 pandemic; and

WHEREAS, Funds received are required to be used in accordance with the Coronavirus Local Fiscal Recovery Fund (CLFRF) requirements as provided within the guidance issued by the United States Treasury:

- To respond to the public health emergency
- To address its negative economic impacts
- To serve the hardest hit
- To make necessary investments in water, sewer, or broadband infrastructure; and

WHEREAS, St. Louis County has been awarded \$54,536,596 in ARPA funds to be used in accordance with the above requirements; and

WHEREAS, The County Board has allocated up to \$2,000,000 in its ARPA Framework for the Clarity Project; and

WHEREAS, the Human Development Center has submitted an application for the \$2,000,000 remodel scheduled to begin early this fall for completion in first quarter 2024,

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approve a lump sum payment of \$2,000,000 of American Rescue Plan Act Revenue Loss funding for the Urgent Care Behavioral Health Center (Clarity).

RESOLVED FURTHER, That the Human Development Center shall comply and submit all necessary information, documentation and reporting materials required by the County to ensure that the project meets any and all conditions as required under the program.

RESOLVED FURTHER, That the appropriate County officials are authorized to enter into an agreement with HDC for this project with funds for the above project payable from Fund 239, American Rescue Plan Act Revenue Loss.



St. Louis County Board of Commissioners Request for Board Action 23 - 339

Committee: **Finance & Budget**

Date: August 8, 2023

From: Linnea Mirsch, PHHS Director, for
Brian Fritsinger, Deputy Administrator

Attachments: yes no

Reviewed by: Kevin Z. Gray, County Administrator

Consent: yes no

ITEM: Lincoln Park Children and Families Collaborative, American Rescue Plan Act Revenue Loss Funding

Background/Overview:

The Lincoln Park Children and Families Collaborative (LPCFC) has a vision of creating strong, thriving, healthy, and equitable communities in the Lincoln Park neighborhood. Their mission is to support children and families by connecting them to resources and opportunities, embracing our cultures, and building community well-being through strong and equitable leadership. LPCFC is an invaluable partner of St. Louis County Public Health and Human Services, providing supervised visitation services and other supports to our child welfare programming.

The LPCFC has made an application seeking \$100,000 in ARPA funding to support their Strategic Plan goal of purchasing a building in Lincoln Park in 2024 to operate LPCFC's core programming including licensed family childcare and Supported Family Time supervised visitation program. Total project budget for the capital acquisition is \$500,000.

LPCFC's greatest need during the COVID-19 pandemic was their ability to continue operating essential programming, in a safe, healthy way, without harming the organization's financial situation, as well as keeping their staff safe and working. Over the last three years LPCFC has continued to provide important and necessary opportunities, despite COVID. Their programs and organization have come through this challenge stronger, nimble, and more committed to continue the work.

LPCFC is currently renting commercial space in a mixed-use building that houses 3 nonprofits and 50 apartments, at a cost of \$36,000 a year. Having their own building will give them more control over the entire space, who is around, and who is cleaning. Their own facility will also save significant funds in the long run, allowing the organization to dedicate more resources to programs and participants.

St. Louis County is requested to invest \$100,000 towards the \$500,000 estimated capital costs for building acquisition in 2024. The County Board adopted Resolution No. 21-582 approving its framework associated with the use of American Rescue Plan Act (ARPA) monies, including \$12,500,000 identified for COVID Recovery, a category where additional Revenue Loss funds have been allocated to eligible projects and over \$15.2 million has been allocated to date. This project is proposed to be funded through Fund 239, American Rescue Plan Act Revenue Loss funds.

Policy Objectives:

Under the U.S. Treasury's Final Rule guidance, as it relates to the American Rescue Plan Act (ARPA), the costs associated with the proposed project may be considered an eligible use. However, consistent with recent County Board actions it is proposed that the County use Revenue Loss funds for the project.

Fiscal/Budget Impacts/Funding Source/FTE Considerations:

The proposed \$100,000 would be funded from the Revenue Loss category of the County's ARPA funding framework. The total project cost is estimated at \$500,000.

Recommendation:

It is recommended that the County Board consider approving the use of up to \$100,000 of American Rescue Plan Act Revenue Loss funding for the Lincoln Park Children and Families Collaborate capital campaign, from Fund 239, American Rescue Plan Act Revenue Loss.

**Lincoln Park Children and Families Collaborative,
American Rescue Plan Act Revenue Loss Funding**

BY COMMISSIONER _____

WHEREAS, On March 11, 2021, the President of the United States signed into law the \$1.9 Trillion American Rescue Plan Act (ARPA) to provide continued relief from the impact of COVID-19 pandemic; and

WHEREAS, Approximately \$350 billion of the ARPA funding was allotted to assist state, local tribal, and territory governments in responding to the COVID-19 pandemic; and

WHEREAS, Funds received are required to be used in accordance with the Coronavirus Local Fiscal Recovery Fund (CLFRF) requirements as provided within the guidance issued by the United States Treasury:

- To respond to the public health emergency
- To address its negative economic impacts
- To serve the hardest hit
- To make necessary investments in water, sewer, or broadband infrastructure; and

WHEREAS, St. Louis County has been awarded \$54,536,596 in ARPA funds to be used in accordance with the above requirements; and

WHEREAS, The County Board has allocated up to \$12,500,000 category for COVID Recovery which has been supplemented with additional Revenue Loss dollars for current project commitments of over \$15,245,000; and

WHEREAS, Lincoln Park Children and Families Collaborative has submitted an application for funding to assist with their capital campaign,

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the use of up to \$100,000 of American Rescue Plan Act Revenue Loss funding for the Lincoln Park Children and Families Collaborative as part of the \$500,000 capital campaign to purchase their own property in 2024.

RESOLVED FURTHER, That Lincoln Park Children and Families Collaborative shall comply and submit all necessary information, documentation and reporting materials required by the County to ensure that the project meets any and all conditions as required under the program.

RESOLVED FURTHER, That the appropriate County officials are authorized to enter into an agreement with LPCFC for this project with funds for the above project payable from Fund 239, American Rescue Plan Action Revenue Loss.



St. Louis County Board of Commissioners Request for Board Action 23 - 340

Committee: **Finance & Budget**

Date: August 8, 2023

From: Jeremy Craker, Director Information Technology

Attachments: yes no

Reviewed by: Kevin Z. Gray, County Administrator

Consent: yes no

ITEM: Renewal of and Amendment to Microsoft M365 Enterprise Software Licensing

Background/Overview:

The St. Louis County Information Technology (IT) Department entered into agreement with CDW-G, Inc. in August 2020, under Cooperative Purchasing Contract # 081419-CDW through Sourcwell, to purchase enterprise software licensing to implement Microsoft M365.

Since its implementation, IT has standardized the Microsoft Operating System, migrated St. Louis County E-mail to the Microsoft 365 cloud, migrated all employee unstructured file data to Microsoft One Drive, Implemented Microsoft Teams for Project and Committee Collaboration, Implemented a record's retention module that allows for a more seamless search of unstructured data and e-mail in response to a data practices requests, and is in the planning stages of a potential future deployment of Microsoft SharePoint.

The County's enrollment in the agreement is nearing expiration and will require the County to enter into a new three-year enrollment beginning on September 1, 2023, and ending on August 31, 2026, with certain amendments to the agreement to cover the purchase of additional needed items. The presented renewal option is with continued use of Cooperative Purchasing sourcing, under Sourcwell Contract #081419-CDW. As part of this renewal, St. Louis County has merged the remainder of the currently budgeted Microsoft agreements into this Microsoft 365 Enterprise Agreement. Our enrollment in the agreement is subject to renewal for one or more additional terms in the future.

Policy Objectives:

St. Louis County Purchasing Rules and Regulations, adopted December 17, 2019, allows use of Cooperative Purchasing per Minn. Stat. § 471.345 Subd 15(b),

Fiscal/Budget Impacts/Funding Source/FTE Considerations:

The Microsoft M365 renewal was budgeted as part of the approved 2023 Information Technology budget and will have an annual cost of \$964,624.70 payable from Fund 100, Agency 117001, Object 634800.

Recommendation:

It is recommended that the St. Louis County Board authorize the IT Department, with use of cooperative purchasing Contract #081419-CDW accessible through Sourcwell, to renew the County's enrollment in the Microsoft 365 Enterprise Agreement, with certain amendments to the agreement to cover the purchase of additional needed items, for the three-year period beginning

September 1, 2023 and ending August 31, 2026, with an annual cost of \$964,624.70 and a total cost of \$2,893,874.10.

It is also recommended that the St. Louis County Board authorize the IT Department to renew the County's enrollment for one or more additional terms in the future, provided that the total cost associated with the renewal is not \$150,000 more than the total cost stated above.

Renewal of and Amendment to Microsoft M365 Enterprise Software Licensing

BY COMMISSIONER _____

WHEREAS, The St. Louis County Information Technology (IT) Department entered into an agreement with CDW-G, Inc. in August 2020, under Cooperative Sourcewell Purchasing Contract # 081419-CDW to purchase Microsoft 365 Enterprise software licensing; and

WHEREAS, IT has standardized and implemented all Microsoft products utilizing the Microsoft 365 software solutions including Office applications, E-mail services, Video Conferencing Services, Project and Committee Collaboration spaces, Employee file Storage, E-mail Archiving, and records retention, as well as planning stages of a potential future deployment of Microsoft SharePoint; and

WHEREAS, The County's enrollment in the agreement is nearing expiration and will require the County to enter into a new three-year enrollment beginning on September 1, 2023, and ending on August 31, 2026, with certain amendments to the agreement to cover the purchase of additional needed items; and

WHEREAS, The renewal option is with continued use of Cooperative Purchasing sourcing, under Sourcewell Contract #081419-CDW, merging the remainder of the currently budgeted Microsoft agreements into this Microsoft 365 Enterprise Agreement; and

WHEREAS, Our enrollment in the agreement is subject to renewal for one or more additional terms in the future.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the Information Technology Department, with use of cooperative purchasing Contract #081419-CDW accessible through Sourcewell, to renew the County's enrollment in the Microsoft 365 Enterprise Agreement, with certain amendments to the agreement to cover the purchase of additional needed items, for the three-year period beginning on September 1, 2023, and ending August 31, 2026, with an annual cost of \$964,624.70 and a total cost of \$2,893,874.10 payable from Fund 100, Agency 117001, Object 634800.

RESOLVED FURTHER, That the St. Louis County Board authorizes the Information Technology Department to renew the County's enrollment for one or more additional terms in the future, provided that the total cost associated with the renewal is not \$150,000 more than the total cost stated above.



St. Louis County Board of Commissioners Request for Board Action 23 - 341

Committee: **Finance & Budget** Date: August 8, 2023
From: Mary Garness, Director
Public Records & Property Valuation
David L. Sipila, County Assessor Attachments: yes no
Reviewed by: Kevin Z. Gray, County Administrator Consent: yes no

ITEM: Approval of Hibbing Office Space and Clerical Services Agreements

Background/Overview:

In 2012, the St. Louis County Assessor's office, through the County Board, convened an Assessment Practices Review Panel who "was charged with completing a thorough analysis of the current county-wide assessment functions, to formulate recommendations and develop a comprehensive five-year strategic plan" to ensure that assessments are timely, uniform, and fair. As a result of recommendations shared, the County moved to a True County assessment system of delivery to "organize the assessment process and manage quality control."

On September 13, 2016, the County Board approved Resolution No. 16-578, Establishment of a "True County" Assessor System, which directed that the County move to a True County system by January 1, 2018. As part of implementing that process, the County worked with local jurisdictions to hire additional employees, transition out local jurisdiction assessors, and establish lease arrangements to house County employees in convenient locations throughout the County. To that end, several lease agreements were put in place with the intent of moving County employees to County facilities when space was available.

On July 1, 2018, St. Louis County entered into a City Office Space and Support agreement with the City of Hibbing (City) with the following general terms: "The City agrees to provide to the County, at no cost, the currently assessor-occupied space, approximately 1,169 ft, at 401 East 21st Street, Hibbing, MN 55746, for the County's purpose of providing assessment services." The term of the agreement was five years commencing July 1, 2018 through June 30, 2023, with a renewal option to extend the agreement.

On February 24, 2023, the County received a letter from City Administrator Greg Pruszinske, sharing that the City was providing 120-day written notice of its intent to terminate the City Office Space and Support Agreement. The City followed up that letter with a proposal to continue to provide space and support service at Hibbing City Hall for the St. Louis County Assessor's Office.

Since that time, the County has taken part in several conversations that resulted in the proposed City Office Space and Lease Agreement and the Services Agreement for Non-Exempt Employee Clerical Services. In summary, the aforementioned agreements provide for the following:

- Agree to provide the County, at a cost of \$.97 per square foot per month, subject to an annual escalator of 3%, the currently assessor-occupied space, approximately 1,169

square feet, at 401 East 21st Street, Hibbing, MN. In addition to the base rental rate, maintenance and janitorial costs will also be charged.

- Beginning monthly rent rate: \$2,284.89
- Rent waived from July 1, 2023, through December 31, 2023
- City of Hibbing will provide an employee “mutually acceptable to the parties, who is presently employed by the City of Hibbing and providing services to the County as the County’s Assessment Clerk as of the date of the agreement.”
 - In consideration of the services provided, the County is expected to reimburse the City of Hibbing at a rate of \$7,595.56 per month beginning July 1, 2023. This includes hourly wages, leave benefits, taxes, and other benefits, including fringe benefits, provided by the City.
 - When the currently assigned County Assessment Clerk terminates her employment with the City, for any reason or no reason, the Clerical Services agreement shall become null and void.

Policy Objectives:

Per Minn. Stat. §273.052, the County Board shall authorize the county assessor to employ such additional deputies, clerks, field workers, appraisers, and employees as it deems necessary for the proper performance of the duties of the office of county assessor.

Fiscal/Budget Impacts/Funding Source/FTE Considerations:

The Assessor’s office has not budgeted for additional lease space or clerical services support in 2023. These increased costs were not anticipated; however, with savings in the professional services line item, it is hoped the majority of the unanticipated costs will be absorbed within the current budget. The total budgetary impact for 2023 is as follows:

- Lease: \$0
- Clerical Services: \$45,573.36

As part of the 2024 budget development process, the Assessor’s office has budgeted for the following:

- Lease: \$26,611.92
- Clerical Services: \$93,682.50

Recommendation:

It is recommended that the St. Louis County Board approve the City Office Space and Lease Agreement and the Services Agreement for Non-Exempt Employee Clerical Services.

Approval of Hibbing Office Space and Clerical Services Agreements

BY COMMISSIONER _____

WHEREAS, The St. Louis County Assessor's office provides timely, uniform, and fair assessment processes in part by providing offices in convenient locations through the County; and

WHEREAS, On September 13, 2016, the County Board approved Resolution No. 16-578, Establishment of a "True County" Assessor System, which directed that the County move to a True County system by January 1, 2018; and

WHEREAS, As part of implementing the True County Assessor System, the County worked with local jurisdictions to hire additional employees, transition out local jurisdiction assessors, and establish lease arrangements to house County employees in convenient locations throughout the County; and

WHEREAS, On July 1, 2018, St. Louis County entered into a City Office Space and Support agreement with the City of Hibbing, with a term commencing July 1, 2018 and expiring June 30, 2023; and

WHEREAS, The St. Louis County Assessor's office in collaboration with Administration and the County Attorney's office have negotiated terms to continue lease of space at the Hibbing facility to include clerical support services.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the City Office Space and Lease Agreement and the Services Agreement for Non-Exempt Employee Clerical Services between the St. Louis County Assessor's Office and the City of Hibbing with an effective date of July 1, 2023.



St. Louis County Board of Commissioners Request for Board Action 23 - 342

Committee: Central Management & Intergovernmental Date: August 8, 2023
From: James R. Gottschald, Director Human Resources
and Administration Attachments: yes no
Reviewed by: Kevin Z. Gray, County Administrator Consent: yes no

ITEM: County Attorney Investigator Unit 2023-2025 Collective Bargaining Agreement

Background/Overview:

The County Attorney Investigator unit is comprised of 9 employees who work in the County Attorney's Office in St. Louis County. The county's labor agreement with the County Attorney Investigator unit expired December 31, 2022. St. Louis County and American Federation of State, County and Municipal Employees (AFSCME) reached agreement on terms of a new collective bargaining agreement effective January 1, 2023, through December 31, 2025.

The 2023-2025 wage settlement includes across the board increases of: 3.00% effective December 17, 2022; 3.00% effective December 16, 2023, and 3.00% effective December 14, 2024. In addition, a one-time cash payment of \$400 to all permanent and probationary employees in the first year of the agreement.

Other language changes include: employees' initial sick leave accrual was increased to 4.00 per pay period; Juneteenth was added to the list of observed holidays effective in 2023; and as part of the County's Diversity, Equity and Inclusion initiative, all specific gender references within the Agreement were updated to be gender neutral references.

Additionally, there were a number of minor housekeeping changes such as removing obsolete references, updating dates and memorializing past practices.

Policy Objectives:

The process and requirements for the negotiation of bargaining unit labor agreements are addressed under Minn. Stat. §179A, 375 and 383C.

Fiscal/Budget Impacts/Funding Source/FTE Considerations:

The anticipated fiscal impact includes the general wage adjustments for 2023, 2024 and 2025, the one-time \$400 payment in 2023. The additional salary expense for the County Attorney's Office in 2023 have been adequately budgeted for to cover the proposed general wage adjustments. Future salary and operating budgets will take into consideration the general wage adjustments and other fiscal impacts for 2024 and 2025.

Recommendation:

It is recommended that the St. Louis County Board ratify the 2023-2025 County Attorney Investigator unit collective bargaining agreement and authorize county officials to execute a written agreement consistent with negotiations.

County Attorney Investigator Unit 2023-2025 Collective Bargaining Agreement

BY COMMISSIONER _____

WHEREAS, The County Attorney Investigator unit bargaining agreement expired December 31, 2022; and

WHEREAS, St. Louis County and American Federation of State, County and Municipal Employees (AFSCME) reached agreement on terms of a new collective bargaining agreement effective January 1, 2023, through December 31, 2025.

THEREFORE, BE IT RESOLVED, That the 2023-2025 County Attorney Investigator unit contract is ratified, and county officials are authorized to execute the Collective Bargaining Unit Agreement, a copy of which is on file in County Board File No. _____.



St. Louis County Board of Commissioners Request for Board Action 23 - 343

Committee: **Central Management & Intergovernmental** Date: August 8, 2023
From: James R. Gottschald, Director Human Resources
and Administration Attachments: yes no
Reviewed by: Kevin Z. Gray, County Administrator Consent: yes no

ITEM: Appointment to the Civil Service Commission

Background/Overview

The St. Louis County Civil Service Commission is comprised of three regular members and one alternate member. One of the regular members, Britany Jacobson, notified the county on March 16, 2023, that she was no longer available to serve on the Civil Service Commission and resigned effective immediately.

The Human Resources Department advertised for a new regular member to serve on the Commission from mid-May through the end of June.

The county received a total of five citizen advisory applications. The first applicant, Lowell Fermanich of Duluth, is director of a food service organization in Duluth and is a retired member of the Minnesota Army National Guard. The second applicant, Angela Jivery of Buhl, has experience working in mining and construction inspection. The third applicant, Jerry Shuster of Gheen, has experience as a former Minnesota Timber Producers board member, work experience as a logger, and is the current board chair for Willow Valley Township. The fourth applicant, Alan Widell of Hermantown, has experience as an employee at the Minnesota sex offender program and is a military veteran. The fifth applicant, Barbara Hart of Hibbing, has six years' experience on the Hibbing Police Department civil service commission.

Historically, the County has tried to strike some level of balance with its Civil Service Commission of citizen advisory appointments representing communities in both north and south St. Louis County. Former commission member Jacobson resided in the Chisholm community during her tenure on the commission. The remaining three members on the commission are all from the Duluth area. Given the comparable strengths and experiences of these citizen advisory committee applicants, it is recommended to appoint an individual as a regular member who represents one of our communities in the northern portion of the county.

Policy Objectives:

It is necessary under the county's civil service employment law Minn. Stat. §383C.031 to appoint individuals to serve on the Civil Service Commission to carry out the duties and responsibilities of the Commission. This includes "No person shall be appointed or shall act as a member of the county civil service commission at any time while holding any public office or while standing as a candidate for any public office, notary public excepted, or any public employment or position in a political party within the two years immediately preceding appointment". St. Louis County Civil Service Rules 2.2 and 2.3.

The County Board's Appointment Process Policy requires the County Board to authorize the County Auditor to advertise the current vacant position on the Commission and then provides a three-week period for the Board to review applications and make recommendations prior to appointments being placed on a Committee of the Whole agenda. The Board received notice of the five applications via Board Memo No. 23-25.

Fiscal/Budget Impacts/Funding Source/FTE Considerations:

Civil Service Commission members receive a \$50 meeting per diem, plus members are reimbursed for mileage incurred to attend scheduled meetings at the approved CONUS rate. There is sufficient funding in the Human Resources budget to cover the costs associated with Civil Service Commission meeting per diems, payable from Fund 100, Agency 123001, Object 635300 and Object 635500 for non-employee mileage.

Recommendation:

It is recommended that the St. Louis County Board appoint Barbara Hart to serve as a regular member of the Civil Service Commission for a three-year term ending August 7, 2026.

Appointment to the Civil Service Commission

BY COMMISSIONER _____

RESOLVED, That the St. Louis County Board appoints Barbara Hart, as a regular member of the Civil Service Commission, for a three-year term ending August 7, 2026.

Phil Chapman

From:
Sent: Wednesday, June 7, 2023 5:21 PM
To: Phil Chapman
Subject: Application for Citizen Advisory Committee

WARNING: External email. Please verify sender before opening attachments or clicking on links.

Live Form

Application For: Citizen Advisory Committee

Applicant Name: Angela Jivery

Email

Address: Buhl, MN 55713
United States|US

Phone

How long have you lived in St. Louis County? 45 yrs

List other community groups, boards, committees, or commissions for which you are, or have been a member. 2010 United Way of Northeastern Mn Board of Directors

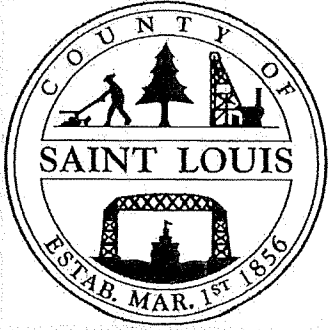
What interests you about becoming a member of the committee, commission or board for which you are applying? I believe in accountability

Please describe your education, employment, areas of interest, and expertise. My expertise is mainly in mining and construction inspection. My education varies although I have a 2 yr diploma from Hibbing Community College in Mining & Heavy Equipment Operations

Please provide additional information you believe is important in considering your application. No

Please list two references including name, address, and telephone number. Mark Gothard, P.E. Hibbing, Mn.
55746 Todd Nyman Mn 55705

Date: 6-7-2023



Revised 1-2006
APP-CACCB

Application

Citizen Advisory Committee, Commission, or Board
St. Louis County

Return Application to:

Clerk of the County Board
100 N. 5th Avenue West, #214
Duluth, MN 55802-1293

OR e-mail at: chapmanp@stlouiscountymn.gov

Note: Please mail or deliver your completed application to the Clerk of the Board at the adjacent address. Your application will be on file for approximately one year.

Application For:

ST. Louis County Civil Service Commission

Please list the committee, commission, or board for which you are applying

Applicant Name:

Hart
Last Name

BARBARA
First Name

M.
Middle Initial

Mr. Mrs. Ms.

Home Address:

Street

Hibbing
City

MN
State

55746
Zip

Telephone/Fax/
E-Mail:

Home Work Fax E-mail Address

1. How long have you lived in St. Louis County?

53 years

2. List other community groups, boards, committees, or commissions for which you are, or have been a member?

Hibbing Civil Service Commission
2013-2019

3. What interests you about becoming a member of the committee, commission or board for which you are applying?

I enjoyed my time on the Commission.
I miss being involved in a community/
County Board & going back to my community

4. Please describe your education, employment, areas of interest, and expertise.

High School Graduate
President of Hart Electric of Northern Minnesota, Inc.
6 years experience on a Civil Service Commission

5. Please provide additional information you believe is important in considering your application?

Past experience on a commission —
Civil Service Commission
Flexible schedule for attending meetings.

6. Please list two references including name, address, and telephone number.

May Ann Hooper Hibbing, MN 55011
Melanie Montgomery Maplewood, MN 55129

I have sufficient time to devote to this responsibility and will attend the required meetings if appointed.

Signature: Robert Hart

Date: 6-14-2023

THANK YOU!

Office Use Only	
Date Received	<input type="text"/>
Date Entered	<input type="text"/>
Commissioner District	<input type="text"/>
Appointed: <input type="checkbox"/> Yes <input type="checkbox"/> No	
Committee/Board/Commission:	<input type="text"/>
Appointment Date	<input type="text"/>
Term End Date	<input type="text"/>
Retention Date	<input type="text"/>

Phil Chapman

From:
Sent: Monday, June 12, 2023 11:48 AM
To: Phil Chapman
Subject: Application for Citizen Advisory Committee

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Live Form

Application For: Civil Service Commission

Applicant Name: Jerry Shuster

Email

Address: GHEEN, MN 557719018
United States|US

Phone

How long have you lived in St. Louis County? 72 years

List other community groups, boards, committees, or commissions for which you are, or have been a member. MN Timber Producers board member in the past. Current Board Chairman for Willow Valley Township.

What interests you about becoming a member of the committee, commission or board for which you are applying? I am concerned about efficient, cost-effective directions in which St. Louis County should be headed.

Please describe your education, employment, areas of interest, and expertise. Orr School graduate. Graduate of Career Academy of Broadcasting. 45 year career as logging company owner.

Please provide additional information you believe is important in considering your application. Am concerned about the direction of St. Louis County government

Please list two references including name, address, and telephone number. Warren Mlaker, MN 55723. . Dennis Udovich, Willow river Rd. Gheen, MN 55723

Date: 6-12-2023

Phil Chapman

From:
Sent: Tuesday, June 6, 2023 6:56 PM
To: Phil Chapman
Subject: Application for Citizen Advisory Committee

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Live Form

Application For: Citizen Advisory Committee

Applicant Name Lowell Fermenich

Email

Address Duluth, Minnesota 55808
United States|US

Phone

How long have you lived in St. Louis
County? 53 years

List other community groups, boards,
committees, or commissions for which
you are, or have been a member. Head Start parent board member 1998-1999

What interests you about becoming a
member of the committee,
commission or board for which you are
applying? Interested in advancing my civic duty

Please describe your education,
employment, areas of interest, and
expertise. Director of Food Service at Ecumen in Duluth, retired member of the
Minnesota Army National Guard.

Please provide additional information
you believe is important in considering
your application. N/A

Please list two references including
name, address, and telephone number. Robert Forrest Saginaw, Mn. Julie
Fermenich Duluth, Mn. 55808

Date 6-18-2023

Phil Chapman

From:
Sent: Monday, June 12, 2023 6:37 PM
To: Phil Chapman
Subject: Application for Citizen Advisory Committee

WARNING: External email. Please verify sender before opening attachments or clicking on links.

Live Form

Application For: Civil Service Commission Member

Applicant Name Alan Widell

Email

Address HERMANTOWN, MN 55810
United States|US

Phone

How long have you lived in St. Louis County? 34 years

List other community groups, boards, committees, or commissions for which you are, or have been a member. Honor Flight working group member NCOIC Standards and Evaluation

What interests you about becoming a member of the committee, commission or board for which you are applying? I would like to help with a fair implementation of the merit system

Please describe your education, employment, areas of interest, and expertise. 30 year military veteran Employee at the MN sex offender program Associates Degree CCAF degree in criminal justice

Please provide additional information you believe is important in considering your application. I have had the opportunity to work with people of varying backgrounds while in the military as well as being deployed to other countries and working with host nationals. I believe this helps me be more open minded and non-judgmental.

Please list two references including name, address, and telephone number. Chad Johnson Proctor MN 55810, ; Jess Burnham Duluth, MN 55811,

Date 6-12-2023



St. Louis County Board of Commissioners Request for Board Action 23 - 344

Committee:	Central Management & Intergovernmental	Date:	August 8, 2023
From:	Brian Fritsinger, Deputy Administrator	Attachments:	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no
Reviewed by:	Kevin Z. Gray, County Administrator	Consent:	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no

ITEM: Additional Location/Time for 2023 Board Workshop Meeting

Background/Overview:

Each year the County Board sets the location and time for its Board Workshop meetings. The Board would like to add an additional date to the previously scheduled Board Workshop Schedule.

Administration had originally intended to discuss American Rescue Plan Act (ARPA) funds as part of the 2024 budget workshops. Given time commitments and the unique nature of ARPA funding i.e., volume of information to be discussed a dedicated workshop is proposed on September 12, 2023.

The workshop will provide an opportunity to update the board on the status of available funds including fund types (categorical or revenue loss), results and outcomes from ARPA investments to date and potential adjustments to the current budget framework plan.

In order to provide an opportunity for this discussion to take place they will need to add an additional Board Workshop date and time to the previously scheduled Board Workshop meetings.

Policy Objectives:

Under the Rules and Bylaws of the County Board, all County Board meetings shall be held upon notice given in accordance with Minn. Stat. § 471.705.

Fiscal/Budget Impacts/Funding Source/FTE Considerations:

None.

Recommendation:

It is recommended that the St. Louis County Board authorize the necessary steps to schedule the additional location and time of September 12, 2023 Board Workshop meeting as follows:

- September 12, 2023, Duluth Courthouse, Commissioners Conference Room, Duluth – immediately following the County Board Meeting.

Additional Location/Time for 2023 Board Workshop Meeting

BY COMMISSIONER _____

WHEREAS, The St. Louis County Board previously scheduled its 2023 County Board Workshop meetings; and

WHEREAS, Administration would like the opportunity to update the board on the status of available funds including fund types (categorical or revenue loss), results and outcomes from ARPA investments to date and potential adjustments to the current budget framework plan.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorize the necessary steps to schedule the additional location and time of September 12, 2023 Board Workshop meeting as follows:

- September 12, 2023, Duluth Courthouse, Commissioners Conference Room, Duluth – immediately following the County Board Meeting.

ST. LOUIS COUNTY BOARD
2023 BOARD WORKSHOP SCHEDULE
All workshops begin at 9:30 a.m. (except those noted)

BOARD WORKSHOP DATE	WORKSHOP LOCATION
January 17	Duluth Government Services Center, Lake Superior Room
March 21	Virginia Government Services Center, Liz Prebich Room
May 16	Duluth Government Services Center, Lake Superior Room
July 17 – Budget Workshop	Duluth Government Services Center, St. Louis River Room (10:30 am)
July 18 – Budget Workshop	Iron Range Resources & Rehabilitation, Conference Rm II
*September 12	Duluth Courthouse, Commissioners Conference Rm (immediately following County Board Meeting)
September 19	Camp Esquagama
October 31	Duluth Government Services Center, Lake Superior Room

*Pending County Board Approval on August 8, 2023



St. Louis County Board of Commissioners Request for Board Action 23 - 345

Committee: **Public Safety and Corrections** Date: August 8, 2023
From: Kimberly J. Maki, County Attorney Attachments: yes no
Reviewed by: Kevin Z. Gray, County Administrator Consent: yes no

ITEM: Two Additional Positions in County Attorney's Office

Background/Overview:

The County Attorney's Office desires to add two full-time positions. The first position is a new Deputy County Attorney class that will serve the entire county. The second position is an Assistant County Attorney that will serve southern St. Louis County in the Duluth Criminal Division, officed in the Duluth courthouse.

A Deputy County Attorney position is needed to assist with the management of the four locations of the County Attorney's Office. Duties will include, but are not limited to, overseeing personnel actions, ensuring proper mentorship and training of attorneys, coordinating with law enforcement, the courts, and other criminal justice system partners, assisting with the formulation and of office policies and procedures, analyzing the impact of existing and proposed legislation and implementing new statutory requirements, and assisting with preparation of the office budget. This position will have a countywide focus, so while the position may be officed either in Duluth or on the Range, the successful candidate will be expected to spend a substantial portion of their time in all office locations. This position has been reviewed by Human Resources, which determined that placement of a new Deputy County Attorney class at Grade A32 of the Management Compensation Plan is appropriate.

An Assistant County Attorney position is needed in Duluth to reduce prosecutor workloads to manageable levels. Prior to seeking this position, other technical and workload efficiencies were explored and implemented, but they were insufficient to ameliorate the heavy workload burden of the Duluth prosecutors, which was evidenced by number of cases they were carrying (roughly 162 per prosecutor, compared to target caseloads of 90-120) and the extra number of hours they were working (roughly an additional 180 hours, or 4.8 weeks, per prosecutor through the first half of 2023). These caseload demands are not related to COVID backlogs; rather, they are expected to continue. The Range Criminal Division workloads were also analyzed, which indicated that Range prosecutor caseload numbers and extra hours worked were within acceptable target levels, so no additional positions were needed. Human Resources has reviewed the proposed duties and determined that Attorney I/Attorney II/Senior Attorney is appropriate depending on the qualifications of the successful applicant. This position will be part of the Assistant County Attorneys Unit.

Policy Objectives:

Minn. Statute Sec. 388.10 authorizes county attorneys to appoint assistants with consent of the county board. Further, Minn. Statute Sec. 383C.035 defines assistant county attorneys as unclassified service.

Fiscal/Budget Impacts/Funding Source/FTE Considerations:

The cost impact of adding these positions is \$305,006.59. Due to savings from retirements and other personnel changes, there is sufficient funding in the County Attorney's Office 2023 personnel budget to fund both positions for the remainder of the year, and these positions have been included in the County Attorney's Office proposed budget for 2024. These positions will be funded from Fund 100, Agency 113001, Object Code 610100.

Recommendation:

It is recommended that the St. Louis County Board approve the creation of the Deputy County Attorney class at Grade 32 of the Management Compensation Plan and allocate one 1.0 FTE position to that class. It is further recommended that the Board approve the addition of one 1.0 FTE Assistant County Attorney position.

Two Additional Positions in County Attorney's Office

BY COMMISSIONER _____

WHEREAS, A Deputy County Attorney position is needed to assist with the management of the four locations of the County Attorney's Office; and

WHEREAS, An Assistant County Attorney position is needed in Duluth to reduce prosecutor workloads to manageable levels; and

WHEREAS, These positions will better enable the County Attorney's Office to fulfill its statutory and caseload obligations in an effective and efficient manner; and

WHEREAS, Human Resources has reviewed the proposed duties of both positions and supports the proposed class allocations; and

WHEREAS, There is sufficient funding for these positions for the remainder of 2023 and no additional funding is being requested.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board hereby approves the creation of the Deputy County Attorney class at Grade A32 of the Management Compensation Plan.

RESOLVED FURTHER, That the Board approves the addition of a 1.0 FTE position allocated to the new Deputy County Attorney class.

RESOLVED FURTHER, That the St. Louis County Board hereby approves an additional 1.0 FTE Assistant County Attorney position.

RESOLVED FURTHER, That both positions will be funded from Fund 100, Agency 113001, Object Code 610100.